

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**

SEVENTEENTH DAY'S PROCEEDINGS

**Twenty-Ninth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Monday, May 5, 2003

The Senate was called to order at 4:00 o'clock P.M., by Hon. John Hainkel, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Fontenot	Marionneaux
Adley	Gautreaux	McPherson
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, CD	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Fields	Malone	
Total—37		

ABSENT

Bean	Jones, B
Total—2	

The President of the Senate announced there were 37 Senators present and a quorum.

Prayer

The prayer was offered by Father Alan Trullier, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Smith, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Privilege Report of the
Legislative Bureau**

May 5, 2003

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 942—

BY REPRESENTATIVES DOWNER, CAPELLA, R. CARTER, FAUCHEUX,
AND WELCH

AN ACT

To amend and reenact R.S. 14:329.6(E), R.S. 29:1, 5(A), (B), (C), (D), and (H), 6, 7, 721, 722(A)(introductory paragraph), (1), (3), and (4) and (B), 723(1), 724(C) and (F), 725, 726(A) and (B)(introductory paragraph), (10), (11), and (12), (C), (D), (E)(6) and (9), and (F), 727(A), (B), (C), and (H), 728(A), (C), (D), and (F), 729(A), (B)(introductory paragraph), (6), (10), and (11), (C), (D), and (E)(6), 730(A) and (B), 730.1, 731, 733.1, 735(A), 737(C), (D), and (E), and 751(introductory paragraph) and the second and third undesignated paragraphs of Article I, the first and third undesignated paragraphs of Article II, Article III(A)(1) and (2), (B)(1), and (C), and Articles IV and X, R.S. 30:2458(A)(9), R.S. 45:841(2) and (5), 842, 843(A)(1) and (2), and 844, and R.S. 49:853(4), to enact R.S. 14:329.6(G), R.S. 29:723(3.1) and (6) and R.S. 29:726(B)(14) and (15), to repeal the existing R.S. 29:7.1, and to redesignate R.S. 29:7.2 as R.S. 29:7.1, relative to military affairs; to provide for the office of homeland security and emergency preparedness; to provide for the redesignation of the office of emergency preparedness as the office of homeland security and emergency preparedness within the Military Department, and to redesignate references in accordance therewith; to redesignate Chapter 6 of Title 29 of the Louisiana Revised Statutes as the "Louisiana Homeland Security and Emergency Assistance and Disaster Act" and to include references to homeland security; to provide for the authority and responsibilities of the office; to provide for definitions; to delete certain mandatory reimbursements between political subdivisions during certain emergencies; to provide for the composition of the Military Department; to provide for the activation of the militia during public emergencies; to provide for authority of national guardsmen and military police during certain emergencies, including homeland security purposes; to redesignate parish, local, and interjurisdictional emergency preparedness agencies as homeland security and emergency preparedness agencies; to redesignate references to emergency preparedness agencies within provisions applicable to emergency alert services; to include acts of terrorism as emergencies, disasters for purposes of homeland security and emergency preparedness and the operation of government during interim emergencies; to revise the Southern Regional Emergency Management and Assistance Compact to include provisions for homeland security and emergency preparedness; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
LOUIS LAMBERT
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Lambert, the Bills and Joint Resolutions were read by title and passed to a third reading.

**Introduction of
Senate Concurrent Resolutions**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Concurrent Resolutions a first and second time and acting upon them as follows:

SENATE CONCURRENT RESOLUTION NO. 70—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To urge and request appointments to the Board of Examiners in Dietetics and Nutrition be made on a timely basis.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Health and Welfare.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

May 5, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 451—

BY REPRESENTATIVE ERDEY

AN ACT

To enact R.S. 32:863(D), relative to motor vehicle liability security; to provide relative to the sanctions for failure to maintain motor vehicle liability security; to provide relative to reinstatement requirements of motor vehicle registrations; to prohibit the renewal of a driver's license, issuance of a duplicate license, renewal of a motor vehicle registration, or reissuance of a motor vehicle registration under certain circumstances; and to provide for related matters.

HOUSE BILL NO. 493—

BY REPRESENTATIVE DIEZ

AN ACT

To enact R.S. 32:414.2(A)(7), relative to commercial motor vehicle drivers; to authorize the department to report certain drivers to the Federal Motor Carrier Safety Administration; to provide relative to the definition of imminent hazard; to require certain disqualifications to become part of an individual's official operating record; to provide relative to disqualification periods; and to provide for related matters.

HOUSE BILL NO. 518—

BY REPRESENTATIVES JOHNS, CAZAYOUX, DAMICO, DOWNER, FLAVIN, FRITH, FRUGE, FUTRELL, KATZ, MORRISH, NEVERS, PITRE, POWELL, SCALISE, STELLY, STRAIN, THOMPSON, WALSWORTH, WINSTON, AND WOOTON AND SENATORS CHAISSON, GAUTREUX, MICHOT, AND THEUNISSEN

AN ACT

To enact R.S. 9:2799.6, relative to a limitation of liability for damages related to the consumption of certain products; to limit the liability of manufacturers, distributors, and sellers of food and non-alcoholic beverages; to define terms; to provide for applicability; and to provide for related matters.

HOUSE BILL NO. 770—

BY REPRESENTATIVE DIEZ

AN ACT

To enact R.S. 32:414.2(E), relative to commercial motor vehicle drivers; to provide relative to the notice requirements of the Federal Motor Carrier Safety Administration; to require the department to notify other licensing jurisdictions of certain convictions; to require other licensing jurisdictions to notify the department of certain convictions; to provide relative to an

individual's official operating record; and to provide for related matters.

HOUSE BILL NO. 850—

BY REPRESENTATIVES MONTGOMERY, BRUCE, AND GLOVER

AN ACT

To amend and reenact R.S. 34:3160(D), relative to the Caddo-Bossier Parishes Port Commission; to provide relative to the rights and powers of such commission; to increase the maximum term of certain contracts, leases, and other agreements which may be entered into by such commission; and to provide for related matters.

HOUSE BILL NO. 876—

BY REPRESENTATIVES JOHNS, PERKINS, BOWLER, BROOME, TRICHE, AND WINSTON

AN ACT

To amend and reenact R.S. 40:34(B)(1)(a)(iv), relative to vital records forms; to provide for contents of the birth certificate; to provide for the surname of an illegitimate child in certain circumstances; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 972—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:402(B)(1)(a), relative to drivers' licenses; to authorize the operator of a motor vehicle to drive without a driver's license under certain circumstances; and to provide for related matters.

HOUSE BILL NO. 1217—

BY REPRESENTATIVES TRICHE, ANSARDI, ARNOLD, BALDONE, BAUDOIN, BOWLER, BROOME, BRUCE, CROWE, CURTIS, DAMICO, DARTEZ, DIEZ, DOERGE, DOWNER, DURAND, FANNIN, FLAVIN, FRITH, FUTRELL, GALLOT, GLOVER, GUILLORY, HEBERT, HILL, HONEY, HUDSON, ILES, KENNARD, KENNEY, LUCAS, MCDONALD, MCVEA, MONTGOMERY, MORRELL, NEVERS, PIERRE, POWELL, QUEZAIRE, RICHMOND, JACK SMITH, JANE SMITH, STRAIN, THOMPSON, WADDELL, WALSWORTH, WELCH, WINSTON, AND WOOTON AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 30:136.3, 209(2) and (4)(b), and 212(D)(2) and (3), relative to the office of mineral resources funding authority; to rename the Mineral Resources Audit and Collection Fund; to provide for revenues to be credited to the fund; to provide for appropriation from the fund; and to provide for related matters.

HOUSE BILL NO. 1487—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 40:1622, relative to fire protection and prevention; to provide for criminal and civil liability for violations; to provide for a rebuttable presumption; and to provide for related matters.

HOUSE BILL NO. 1826 (Substitute for House Bill No. 1081 by Representative Durand) —

BY REPRESENTATIVE DURAND

AN ACT

To enact R.S. 37:934, relative to registered nurses; to provide for utilization review under the Louisiana Medical Assistance Program; and to provide for related matters.

HOUSE BILL NO. 1825 (Substitute for House Bill No. 25 by Representative Crowe) —

BY REPRESENTATIVES CROWE AND CAZAYOUX

AN ACT

To enact R.S. 14:39.3, relative to the crime of unintentional injury of a police officer; to create the crime of unintentional injury of a police officer; to provide for definitions; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 1827 (Substitute for House Bill No. 1262 by Representative Thompson)—

BY REPRESENTATIVE THOMPSON
AN ACT

To enact R.S. 3:304, relative to the master farmer program; to provide for certification; to provide for the promulgation of rules and regulations; to provide for requirements for certification and maintaining certification; to provide for verification; and to provide for related matters.

HOUSE BILL NO. 31—

BY REPRESENTATIVE STRAIN
AN ACT

To reduce the speed limit in the school zone on Louisiana Highway 41 at Creekside Junior High School; and to provide for related matters.

HOUSE BILL NO. 84—

BY REPRESENTATIVES ROMERO, CURTIS, ILES, KATZ, KENNARD, POWELL, AND QUEZAIRE
AN ACT

To amend and reenact R.S. 32:666(A) and 667(B)(4), relative to tests for suspected drunken drivers; to require all drivers involved in certain traffic accidents to submit to tests in order to determine the presence of alcohol or controlled dangerous substances; and to provide for related matters.

HOUSE BILL NO. 109—

BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 6:969.18(A), relative to the Louisiana Motor Vehicle Sales Finance Act; to increase the convenience fee authorized to be collected by a motor vehicle seller or extender of credit for certain transactions; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 253—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 38:2212.1(A)(2), relative to the Public Bid Law; to provide relative to the exception in Public Bid Law for the purchase of certain motor vehicles and road maintenance or improvement equipment; and to provide for related matters.

HOUSE BILL NO. 254—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 38:2212.1(A)(1), relative to the Public Bid Law; to provide relative to the purchase of materials or supplies; to increase the purchase amount for which advertisement and letting by contract are necessary; to increase the purchase amount for which telephone or facsimile quotations are necessary; and to provide for related matters.

HOUSE BILL NO. 163—

BY REPRESENTATIVE PINAC
AN ACT

To repeal R.S. 6:708(D), relative to directors of savings and loan associations; to repeal the qualifying share requirement for directors.

HOUSE BILL NO. 305—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to Ronald Tassin, to provide for reimbursement of his legal expenses.

HOUSE BILL NO. 330—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 9:3515(D), relative to consumer lenders; to provide for exceptions; to provide relative to the sale of certain property by consumer lenders; and to provide for related matters.

HOUSE BILL NO. 429—

BY REPRESENTATIVE PITRE
AN ACT

To enact R.S. 23:291(D), relative to disclosure of employment information; to provide employers with immunity from civil liability under certain circumstances; to provide the definition of "owners"; and to provide for related matters.

HOUSE BILL NO. 593—

BY REPRESENTATIVE LEBLANC
AN ACT

To repeal R.S. 39:51(B), relative to budgetary procedure; to delete the requirement that the governor explain certain differences between the executive budget and certain bills for the ordinary and ancillary expenses of state government.

HOUSE BILL NO. 682—

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 40:1299.39.1(D)(2) and 1299.47(D)(2), relative to a medical review panel proceeding under the Medical Malpractice Act; to provide that the panel may consider evidence discovered by interrogatories; and to provide for related matters.

HOUSE BILL NO. 762—

BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 48:293(A), relative to the competitive selection of consultant firms by the Department of Transportation and Development; reduces the number of consultant firms on the short list; and to provide for related matters.

HOUSE BILL NO. 772—

BY REPRESENTATIVES LEBLANC, FRITH, MONTGOMERY, NEVERS, AND THOMPSON
AN ACT

To amend and reenact R.S. 43:111(A)(9) and R.S. 51:1319(A)(2) and (B)(5) and to enact R.S. 43:111(A)(10) and R.S. 51:1319(B)(6), relative to authorization for advertising within the Louisiana Retirement Development Commission; to provide relative to authorization for the commission to develop guidelines to award a "Livable Louisiana Retirement Ready Community" seal of approval; to provide relative to authorization for the commission to purchase, print, and distribute advertisements, informational publications, and other promotional materials to promote Louisiana as a retirement state; and to provide for related matters.

HOUSE BILL NO. 192—

BY REPRESENTATIVE PINAC
AN ACT

To enact R.S. 6:665(C), relative to expansions of the field of membership of credit unions; to provide for expansions through bylaw amendments; to provide criteria for expansions; and to provide for related matters.

HOUSE BILL NO. 191—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 6:646(A)(2)(b) and (B)(2), 656(A)(1)(e), and 661.1(A)(3) and to repeal R.S. 6:646(A)(3), relative to credit unions; to provide factors of consideration for commissioner approval of mergers, consolidations, and

expansions of field of membership; to change financial reporting requirements for certain credit unions; to increase certain loan amount approval by the board of directors; to change the net worth ratio criterion for branch office openings; to repeal the moratorium on mergers and conversions; and to provide for related matters.

HOUSE BILL NO. 938—

BY REPRESENTATIVE GARY SMITH
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to the Department of Education, State Activities, for payment or reimbursement for payment of legal expenses of James P. Dukes; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 940—

BY REPRESENTATIVE DANIEL
AN ACT

To repeal R.S. 48:56(A), relative to reporting on state projects by the Department of Transportation and Development; to repeal the requirement for annual reports on state projects to the legislature.

HOUSE BILL NO. 941—

BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 48:255.2, relative to public contracts of the Department of Transportation and Development; to provide relative to the performance of surety companies when a contractor defaults; to reduce the time allowed for a surety company to respond to notification of a contractor's default; and to provide for related matters.

HOUSE BILL NO. 943—

BY REPRESENTATIVE FLAVIN
AN ACT

To amend and reenact R.S. 9:3143(6), 3144(A)(2), and 3150 and to enact R.S. 9:3144(B)(19), relative to home warranties; to provide for definitions; to provide for certain warranties; to provide for exclusions; to provide relative to civil actions; and to provide for related matters.

HOUSE BILL NO. 1004—

BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 29:27(B)(introductory paragraph) and (1) and to repeal R.S. 17:157(C) and R.S. 47:820.5(A), relative to tolls on the Sunshine Bridge; to repeal the tolls on the Sunshine Bridge; to repeal certain exemptions from the tolls on the Sunshine Bridge; and to provide for related matters.

HOUSE BILL NO. 1005—

BY REPRESENTATIVE SCHWEGMANN
AN ACT

To enact Subpart X of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.71, relative to state individual income tax checkoffs; to provide for a method for individuals to donate a portion of any refund due to the Louisiana Animal Welfare Commission; to provide for collection and disbursement of the donation by the Department of Revenue; and to provide for related matters.

HOUSE BILL NO. 1068—

BY REPRESENTATIVE LEBLANC
AN ACT

To amend and reenact R.S. 39:87.2, relative to performance-based budgeting; to provide for a process by which an agency's performance data may be adjusted after the budget has been enacted; and to provide for related matters.

HOUSE BILL NO. 1074—

BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 48:346, relative to duties and functions of certain employees of the Department of Transportation and Development; to authorize the assistant secretary of the office of operations or the chief engineer to close any section of a highway under certain circumstances; and to provide for related matters.

HOUSE BILL NO. 1154—

BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 32:387.7, relative to special permits; to provide relative to special permits for trucks hauling sugarcane; to provide relative to violations of the authorized weight limit; to provide relative to an appeal process for violations; to prohibit the issuance of special permits to certain trucks beginning August 1, 2008; to authorize the promulgation of rules and regulations; and to provide for related matters.

HOUSE BILL NO. 1170—

BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 30:2158(A)(2)(b) and 2226(H)(1), relative to contamination of groundwater through migration; to provide for prevention of migration from sanitary landfills; to provide for prevention of migration at certain hazardous waste sites; and to provide for related matters.

HOUSE BILL NO. 1304—

BY REPRESENTATIVES STELLY, FLAVIN, GUILLORY, JOHNS, AND MORRISH AND SENATORS CAIN, MOUNT, AND THEUNISSEN
AN ACT

To amend and reenact R.S. 27:392(B)(2)(b), (3)(b) and (c), (4), and (5), relative to the distribution of revenues derived under the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide for the distribution of such revenues in Calcasieu Parish; to make certain technical corrections; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1397—

BY REPRESENTATIVE DIEZ
AN ACT

To enact R.S. 38:2212(A)(3)(f), relative to public contracts; to prohibit allowances in certain contracts; and to provide for related matters.

HOUSE BILL NO. 1630—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 40:1563(B)(introductory paragraph) and (4) and (C), relative to the state fire marshal; to provide for additional requirements for the creation and operation of fire prevention bureaus; to provide for jurisdictional rules for inspections; and to provide for related matters.

HOUSE BILL NO. 1733—

BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 30:2277(3) and to enact R.S. 30:2272(10), (11), and (12) and 2277(5), relative to liability for hazardous substance remedial action; to provide relative to such liability; and to provide for related matters.

HOUSE BILL NO. 774—

BY REPRESENTATIVE PERKINS
AN ACT

To enact R.S. 48:281, relative to state highways; to prohibit closure of a lane of a state highway for landscaping or maintenance projects during peak traffic hours; to provide for exceptions; and to provide for related matters.

HOUSE BILL NO. 973—

BY REPRESENTATIVE DIEZ

AN ACT

To enact Part XII of Chapter 2 of Code Title XII of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3568, and R.S. 9:3571.1(H)(3) and (I) through (L), relative to consumer credit; to provide for protection of victims of identity theft; to provide for police reports; to provide for information to be made available by creditors; to provide for security alerts; to provide for damages; and to provide for related matters.

HOUSE BILL NO. 849—

BY REPRESENTATIVES MARTINY AND BRUCE

AN ACT

To enact R.S. 14:35.3, relative to offenses against the person; to create the crime of domestic abuse battery; to provide for definitions; to provide for criminal penalties; to provide for additional penalties when a minor child twelve years or younger is present during the commission of a domestic abuse battery; and to provide for related matters.

HOUSE BILL NO. 1053—

BY REPRESENTATIVE LANCASTER

AN ACT

To enact R.S. 42:6.1(A)(9) and R.S. 44:20, relative to tests prepared, administered, or scored by the office of the state examiner, municipal fire and police civil service; to provide that certain test-related information is confidential; to require certain presentations of such test-related information to occur in executive session; and to provide for related matters.

HOUSE BILL NO. 1178—

BY REPRESENTATIVE DEVILLIER

AN ACT

To amend and reenact R.S. 14:20(4), relative to justifiable homicide; to provide that a homicide committed by a person engaged in the acquisition, distribution, or possession with intent to distribute a controlled dangerous substance is not justifiable in certain circumstances; and to provide for related matters.

HOUSE BILL NO. 1191—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 14:67.1 and to repeal R.S. 14:67.4 and 67.5, relative to theft; to provide for the crime of theft of livestock; to provide for criminal intent; to provide for criminal penalties; to provide for presumptive evidence and affirmative defenses; to define "livestock"; to repeal the crimes of theft of domesticated fish from fish farms and theft of crawfish; and to provide for related matters.

HOUSE BILL NO. 1273—

BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact R.S. 56:106, relative to hunting field trials; to provide relative to notice requirements for a nonresident participating in a field trial to be exempt from the requirement for a hunting license; and to provide for related matters.

HOUSE BILL NO. 1448—

BY REPRESENTATIVES HEBERT, ERDEY, BOWLER, CAPELLA, MORRISH, GARY SMITH, BALDONE, GLOVER, SCALISE, AND WALSWORTH

AN ACT

To enact Part XXXI-A of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1481 through 1494, relative to the use of credit information for personal insurance; to provide for requirements and restrictions; to provide for corrections; to provide for notification; to provide for filings; to provide for indemnification; to provide for applicability; and to provide for related matters.

HOUSE BILL NO. 1468—

BY REPRESENTATIVE SCHWEGMANN

AN ACT

To enact R.S. 56:6(30), relative to nonhuman primates; to provide that the Department of Wildlife and Fisheries shall promulgate rules and regulations regarding the purchase and possession of nonhuman primates; to provide for issuance of certain permits; and to provide for related matters.

HOUSE BILL NO. 1494—

BY REPRESENTATIVE TUCKER

AN ACT

To enact Part VI-A of Chapter 20 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1742, relative to direct billing of anatomical pathology services; to provide for rules and regulations relative to billing for such services; to provide for penalties for violations; and to provide for related matters.

HOUSE BILL NO. 1649—

BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 44:11(D), relative to confidentiality of certain information in personnel records; to provide that certain information in the personnel records of a public employee or public official shall be confidential; and to provide for related matters.

HOUSE BILL NO. 1801 (Substitute for House Bill No. 1749 by Representative Flavin)—

BY REPRESENTATIVES FLAVIN, JOHNS, MORRISH, AND STELLY AND SENATORS THEUNISSEN AND MOUNT

AN ACT

To amend and reenact R.S. 34:202 and 204 and to enact R.S. 34:204.1, relative to the Lake Charles Harbor and Terminal District; to provide relative to the appointment and terms of the district's board of commissioners; to provide relative to the board's responsibility for management of the district; to provide for the employment of a port director including his qualifications and duties; and to provide for related matters.

HOUSE BILL NO. 454—

BY REPRESENTATIVE JACK SMITH

AN ACT

To amend and reenact R.S. 56:578.10 and 578.11, relative to catfish packaging; to prohibit the possession or exchange of certain mislabeled catfish; to provide for prohibitions on the possession or exchange of certain species of catfish; to provide relative to inspection of catfish packaging facilities; to provide for penalties for violations; and to provide for related matters.

HOUSE BILL NO. 694—

BY REPRESENTATIVES ANSARDI, BOWLER, CAPELLA, DAMICO, MARTINY, MONTGOMERY, SCALISE, THOMPSON, TOOMY, AND SCHNEIDER AND SENATOR LENTINI

AN ACT

To enact R.S. 44:3.1, relative to records of public bodies; to exempt certain records pertaining to security procedures from public records laws; to provide terms and conditions; and to provide for related matters.

HOUSE BILL NO. 795—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 27:20(C), 28(B)(1)(e), 29.4(C), 85(D), 231(B), 371(A), and 376(A) and to enact R.S. 27:30.3, 30.4, 85(E), 260(E), and 376(C), (D), and (E), relative to the Louisiana Gaming Control Law; to provide for a comprehensive revision of the law applicable to gaming; to authorize gaming licensees to detain a person suspected of committing the crime of gaming when the person is under the age of twenty-one; to create the crime of using or manufacturing slugs or counterfeit chips or tokens; to create the crime of the manufacture, sale, or

distribution of gaming materials intended for illegal use; to provide for applicability; to provide for penalties; to provide for definitions; to delete the provision of law requiring presence of an agent of the gaming board to be present all times during hours of operation at land-based casinos; to provide that a felony crime of violence is a basis for disqualification for granting a license, permit, or other board approval; to require key and non-key gaming employees be twenty-one years of age; to provide criminal penalties for allowing a person under the age of twenty-one to play slot machines in an eligible horse racing facility; to provide with respect to defenses; to prohibit the game of poker to be offered on slot machines at eligible horse racing facilities; and to provide for related matters.

HOUSE BILL NO. 1486—

BY REPRESENTATIVES TOOMY, ANSARDI, CAPELLA, DAMICO, GREEN, MARTINY, BAUDOIN, BRUCE, CAZAYOUX, DOWNS, FANNIN, FRITH, HILL, KENNEY, LAFLEUR, MORRISH, JACK SMITH, AND STRAIN AND SENATOR LENTINI

AN ACT

To amend and reenact R.S. 3:2735, 2736, and 2774 and to enact R.S. 3:2778 and Part VIII of Chapter 18 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:3021, relative to regulation of dogs and animals; to provide exceptions for parishes and municipalities of over four hundred twenty-five thousand population operating under a home rule charter; to provide for the utilization of license fees and fines; and to provide for related matters.

HOUSE BILL NO. 901—

BY REPRESENTATIVES DEVILLIER AND PIERRE

AN ACT

To amend and reenact R.S. 56:8(116), 305(B)(16), and 322(E)(2) and to enact R.S. 56:305(B)(17) and 322.1, relative to commercial fishing; to provide for the commercial harvest of shad and skipjack herring with a shad seine; to provide for restrictions and penalties; and to provide for related matters.

HOUSE BILL NO. 283—

BY REPRESENTATIVES DEWITT, BAUDOIN, R. CARTER, CRANE, DARTEZ, FRITH, HEBERT, HUDSON, JOHNS, KENNARD, KENNEY, LAFLEUR, LEBLANC, NEVERS, PIERRE, SHAW, GARY SMITH, JACK SMITH, STRAIN, THOMPSON, TOWNSEND, WALKER, WELCH, AND WOOTON

AN ACT

To enact R.S. 51:295.1, relative to professional sports; to prohibit the blackout of local professional football telecasts; and to provide for related matters.

HOUSE BILL NO. 1118—

BY REPRESENTATIVES TOOMY AND BRUCE

AN ACT

To enact R.S. 15:85.1, relative to original bonds; to provide for a fee to be assessed in connection with certain criminal bonds posted; to provide for the collection of the fees; to provide for the distribution of the fee proceeds; to provide for the creation of a crime lab committee in each parish and to provide for its membership and duties; to provide for criteria in determining which persons may petition the court for a waiver of the fees; to provide for refunds of the fees; and to provide for related matters.

HOUSE BILL NO. 34—

BY REPRESENTATIVES DOWNER AND WALSWORTH

AN ACT

To amend and reenact R.S. 47:463.11(B) and (E), relative to motor vehicle special license plates; to provide that certain disabled veterans may receive a special license plate for each vehicle registered in the applicant's name; to restrict issuance of such plates to certain vehicles; and to provide for related matters.

HOUSE BILL NO. 544—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 49:213.9, relative to coastal zone management; to prohibit certain activities on dunes located in the coastal zone; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 975—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To enact R.S. 37:77.1, relative to accountants; to provide for the continued operation and certification of certain single-owner CPA firms for a certain period of time following such owner's death; and to provide for related matters.

HOUSE BILL NO. 176—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 37:1473(4) and (5), 1474(D), 1475(8), 1476(A), 1478, 1481(A)(2), and 1485(B), to enact R.S. 37:1483(12), 1485(C), and 1488(C), and to repeal R.S. 37:1485(A)(10) and (11), all relative to home inspectors; to change term of appointment of board members; to change certain licensure requirements; to provide for prohibited conduct; to provide for injunctive relief; and to provide for related matters.

HOUSE BILL NO. 870—

BY REPRESENTATIVES HUTTER, ARNOLD, BAYLOR, BEARD, BOWLER, BROOME, R. CARTER, CROWE, DARTEZ, DEVILLIER, DOERGE, DOWNS, DURAND, FANNIN, FAUCHEUX, FRITH, FUTRELL, GREEN, HEBERT, HONEY, HOPKINS, HUDSON, M. JACKSON, JOHNS, KENNARD, KENNEY, LUCAS, MARTINY, MCDONALD, MCVEA, MORRELL, MURRAY, NEVERS, PERKINS, PEYCHAUD, PIERRE, PINAC, POWELL, QUEZAIRE, ROMERO, SCHNEIDER, GARY SMITH, JACK SMITH, STRAIN, SWILLING, THOMPSON, TOWNSEND, WADDELL, WALKER, WELCH, AND WRIGHT

AN ACT

To enact R.S. 48:281, relative to highway construction and maintenance projects; to require the Department of Transportation and Development to develop a policy of notifying sheriffs, parish presidents, fire chiefs, and state legislators prior to major highway construction and maintenance work being performed; and to provide for related matters.

HOUSE BILL NO. 1658—

BY REPRESENTATIVE ALARIO

AN ACT

To enact R.S. 47:301(16)(l), relative to the sales and use tax; to provide for a local sales and use tax exclusion for certain other structures permanently attached to the ground; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1299—

BY REPRESENTATIVES DANIEL, JOHN SMITH, AND WELCH

AN ACT

To amend and reenact R.S. 30:2484(A)(5) and 2486(A), (B), (C)(1), and (D), and 2487(A), relative to the Oil Spill Contingency Fund; to provide for grants from the fund for research, testing, and development of discharge and blowout prevention and training using full scale well service training; to provide with respect to the fund balance as it relates to the collection of fees; and to provide for related matters.

HOUSE BILL NO. 1177—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 47:2183, relative to tax sales of immovable property; to provide for notice to the prior owner; to provide for applicability to parishes or municipalities; to provide for an effective date and to provide for related matters.

HOUSE BILL NO. 1281—

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 13:2586(C)(2) and 2587.1, R.S. 32:414(A)(3)(a) and (b), and R.S. 30:2522(3), 2531, 2531.5(D), 2531.6(A)(2), 2535(E), and 2544(D) and to repeal R.S. 30:2531.2, relative to littering; to provide for definitions; to prohibit intentional and simple littering; to provide for criminal and civil penalties; to provide for special court costs; to provide for jurisdiction of justices of the peace; to provide for prosecutorial powers of constables; to provide for enforcement; to provide for litter receptacles; to provide for litter-free zones; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

**House Bills and Joint Resolutions
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 31—

BY REPRESENTATIVE STRAIN

AN ACT

To reduce the speed limit in the school zone on Louisiana Highway 41 at Creekside Junior High School; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 34—

BY REPRESENTATIVES DOWNER AND WALSWORTH

AN ACT

To amend and reenact R.S. 47:463.11(B) and (E), relative to motor vehicle special license plates; to provide that certain disabled veterans may receive a special license plate for each vehicle registered in the applicant's name; to restrict issuance of such plates to certain vehicles; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 84—

BY REPRESENTATIVES ROMERO, CURTIS, ILES, KATZ, KENNARD, POWELL, AND QUEZAIRE

AN ACT

To amend and reenact R.S. 32:666(A) and 667(B)(4), relative to tests for suspected drunken drivers; to require all drivers involved in certain traffic accidents to submit to tests in order to determine the presence of alcohol or controlled dangerous substances; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 109—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 6:969.18(A), relative to the Louisiana Motor Vehicle Sales Finance Act; to increase the convenience fee authorized to be collected by a motor vehicle seller or extender of credit for certain transactions; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 163—

BY REPRESENTATIVE PINAC

AN ACT

To repeal R.S. 6:708(D), relative to directors of savings and loan associations; to repeal the qualifying share requirement for directors.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 176—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 37:1473(4) and (5), 1474(D), 1475(8), 1476(A), 1478, 1481(A)(2), and 1485(B), to enact R.S. 37:1483(12), 1485(C), and 1488(C), and to repeal R.S. 37:1485(A)(10) and (11), all relative to home inspectors; to change term of appointment of board members; to change certain licensure requirements; to provide for prohibited conduct; to provide for injunctive relief; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 191—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:646(A)(2)(b) and (B)(2), 656(A)(1)(e), and 661.1(A)(3) and to repeal R.S. 6:646(A)(3), relative to credit unions; to provide factors of consideration for commissioner approval of mergers, consolidations, and expansions of field of membership; to change financial reporting requirements for certain credit unions; to increase certain loan amount approval by the board of directors; to change the net worth ratio criterion for branch office openings; to repeal the moratorium on mergers and conversions; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 192—

BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 6:665(C), relative to expansions of the field of membership of credit unions; to provide for expansions through bylaw amendments; to provide criteria for expansions; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 253—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 38:2212.1(A)(2), relative to the Public Bid Law; to provide relative to the exception in Public Bid Law for the purchase of certain motor vehicles and road maintenance or improvement equipment; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 254—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 38:2212.1(A)(1), relative to the Public Bid Law; to provide relative to the purchase of materials or supplies; to increase the purchase amount for which advertisement and letting by contract are necessary; to increase the purchase amount for which telephone or facsimile quotations are necessary; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 283—

BY REPRESENTATIVES DEWITT, BAUDOIN, R. CARTER, CRANE, DARTEZ, FRITH, HEBERT, HUDSON, JOHNS, KENNARD, KENNEY, LAFLEUR, LEBLANC, NEVERS, PIERRE, SHAW, GARY SMITH, JACK SMITH, STRAIN, THOMPSON, TOWNSEND, WALKER, WELCH, AND WOOTON

AN ACT

To enact R.S. 51:295.1, relative to professional sports; to prohibit the blackout of local professional football telecasts; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 305—

BY REPRESENTATIVE CAZAYOUX

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to Ronald Tassin, to provide for reimbursement of his legal expenses.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 330—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 9:3515(D), relative to consumer lenders; to provide for exceptions; to provide relative to the sale of certain property by consumer lenders; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 429—

BY REPRESENTATIVE PITRE

AN ACT

To enact R.S. 23:291(D), relative to disclosure of employment information; to provide employers with immunity from civil liability under certain circumstances; to provide the definition of "owners"; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 451—

BY REPRESENTATIVE ERDEY

AN ACT

To enact R.S. 32:863(D), relative to motor vehicle liability security; to provide relative to the sanctions for failure to maintain motor vehicle liability security; to provide relative to reinstatement requirements of motor vehicle registrations; to prohibit the renewal of a driver's license, issuance of a duplicate license, renewal of a motor vehicle registration, or reissuance of a motor vehicle registration under certain circumstances; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 454—

BY REPRESENTATIVE JACK SMITH

AN ACT

To amend and reenact R.S. 56:578.10 and 578.11, relative to catfish packaging; to prohibit the possession or exchange of certain mislabeled catfish; to provide for prohibitions on the possession or exchange of certain species of catfish; to provide relative to inspection of catfish packaging facilities; to provide for penalties for violations; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 493—

BY REPRESENTATIVE DIEZ

AN ACT

To enact R.S. 32:414.2(A)(7), relative to commercial motor vehicle drivers; to authorize the department to report certain drivers to the Federal Motor Carrier Safety Administration; to provide relative to the definition of imminent hazard; to require certain disqualifications to become part of an individual's official operating record; to provide relative to disqualification periods; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 518—

BY REPRESENTATIVES JOHNS, CAZAYOUX, DAMICO, DOWNER, FLAVIN, FRITH, FRUGE, FUTRELL, KATZ, MORRISH, NEVERS, PITRE, POWELL, SCALISE, STELLY, STRAIN, THOMPSON, WALSWORTH, WINSTON, AND WOOTON AND SENATORS CHAISSON, GAUTREAUX, MICHOT, AND THEUNISSEN

AN ACT

To enact R.S. 9:2799.6, relative to a limitation of liability for damages related to the consumption of certain products; to limit the liability of manufacturers, distributors, and sellers of food and non-alcoholic beverages; to define terms; to provide for applicability; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 544—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 49:213.9, relative to coastal zone management; to prohibit certain activities on dunes located in the coastal zone; to provide for penalties; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 593—

BY REPRESENTATIVE LEBLANC

AN ACT

To repeal R.S. 39:51(B), relative to budgetary procedure; to delete the requirement that the governor explain certain differences between the executive budget and certain bills for the ordinary and ancillary expenses of state government.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 682—

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 40:1299.39.1(D)(2) and 1299.47(D)(2), relative to a medical review panel proceeding under the Medical Malpractice Act; to provide that the panel may consider evidence discovered by interrogatories; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 694—

BY REPRESENTATIVES ANSARDI, BOWLER, CAPELLA, DAMICO, MARTINY, MONTGOMERY, SCALISE, THOMPSON, TOOMY, AND SCHNEIDER AND SENATOR LENTINI

AN ACT

To enact R.S. 44:3.1, relative to records of public bodies; to exempt certain records pertaining to security procedures from public records laws; to provide terms and conditions; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 762—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 48:293(A), relative to the competitive selection of consultant firms by the Department of Transportation and Development; reduces the number of consultant firms on the short list; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 770—

BY REPRESENTATIVE DIEZ

AN ACT

To enact R.S. 32:414.2(E), relative to commercial motor vehicle drivers; to provide relative to the notice requirements of the Federal Motor Carrier Safety Administration; to require the department to notify other licensing jurisdictions of certain convictions; to require other licensing jurisdictions to notify the department of certain convictions; to provide relative to an individual's official operating record; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 772—

BY REPRESENTATIVES LEBLANC, FRITH, MONTGOMERY, NEVERS, AND THOMPSON

AN ACT

To amend and reenact R.S. 43:111(A)(9) and R.S. 51:1319(A)(2) and (B)(5) and to enact R.S. 43:111(A)(10) and R.S. 51:1319(B)(6), relative to authorization for advertising within the Louisiana Retirement Development Commission; to provide relative to authorization for the commission to develop guidelines to award a "Livable Louisiana Retirement Ready Community" seal of approval; to provide relative to authorization for the commission to purchase, print, and distribute advertisements, informational publications, and other promotional materials to promote Louisiana as a retirement state; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 774—

BY REPRESENTATIVE PERKINS

AN ACT

To enact R.S. 48:281, relative to state highways; to prohibit closure of a lane of a state highway for landscaping or maintenance projects during peak traffic hours; to provide for exceptions; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 795—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 27:20(C), 28(B)(1)(e), 29.4(C), 85(D), 231(B), 371(A), and 376(A) and to enact R.S. 27:30.3, 30.4, 85(E), 260(E), and 376(C), (D), and (E), relative to the Louisiana Gaming Control Law; to provide for a comprehensive revision of the law applicable to gaming; to authorize gaming licensees to detain a person suspected of committing the crime of gaming when the person is under the age of twenty-one; to create the crime of using or manufacturing slugs or counterfeit chips or tokens; to create the crime of the manufacture, sale, or distribution of gaming materials intended for illegal use; to provide for applicability; to provide for penalties; to provide for definitions; to delete the provision of law requiring presence of an agent of the gaming board to be present all times during hours of operation at land-based casinos; to provide that a felony crime of violence is a basis for disqualification for granting a license, permit, or other board approval; to require key and non-

key gaming employees be twenty-one years of age; to provide criminal penalties for allowing a person under the age of twenty-one to play slot machines in an eligible horse racing facility; to provide with respect to defenses; to prohibit the game of poker to be offered on slot machines at eligible horse racing facilities; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 849—

BY REPRESENTATIVES MARTINY AND BRUCE

AN ACT

To enact R.S. 14:35.3, relative to offenses against the person; to create the crime of domestic abuse battery; to provide for definitions; to provide for criminal penalties; to provide for additional penalties when a minor child twelve years or younger is present during the commission of a domestic abuse battery; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 850—

BY REPRESENTATIVES MONTGOMERY, BRUCE, AND GLOVER

AN ACT

To amend and reenact R.S. 34:3160(D), relative to the Caddo-Bossier Parishes Port Commission; to provide relative to the rights and powers of such commission; to increase the maximum term of certain contracts, leases, and other agreements which may be entered into by such commission; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 870—

BY REPRESENTATIVES HUTTER, ARNOLD, BAYLOR, BEARD, BOWLER, BROOME, R. CARTER, CROWE, DARTEZ, DEVILLIER, DOERGE, DOWNS, DURAND, FANNIN, FAUCHEUX, FRITH, FUTRELL, GREEN, HEBERT, HONEY, HOPKINS, HUDSON, M. JACKSON, JOHNS, KENNARD, KENNEY, LUCAS, MARTINY, McDONALD, MCVEA, MORRELL, MURRAY, NEVERS, PERKINS, PEYCHAUD, PIERRE, PINAC, POWELL, QUEZAIRE, ROMERO, SCHNEIDER, GARY SMITH, JACK SMITH, STRAIN, SWILLING, THOMPSON, TOWNSEND, WADDELL, WALKER, WELCH, AND WRIGHT

AN ACT

To enact R.S. 48:281, relative to highway construction and maintenance projects; to require the Department of Transportation and Development to develop a policy of notifying sheriffs, parish presidents, fire chiefs, and state legislators prior to major highway construction and maintenance work being performed; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 876—

BY REPRESENTATIVES JOHNS, PERKINS, BOWLER, BROOME, TRICHE, AND WINSTON

AN ACT

To amend and reenact R.S. 40:34(B)(1)(a)(iv), relative to vital records forms; to provide for contents of the birth certificate; to provide for the surname of an illegitimate child in certain circumstances; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 901—

BY REPRESENTATIVES DEVILLIER AND PIERRE

AN ACT

To amend and reenact R.S. 56:8(116), 305(B)(16), and 322(E)(2) and to enact R.S. 56:305(B)(17) and 322.1, relative to commercial fishing; to provide for the commercial harvest of shad and skipjack herring with a shad seine; to provide for restrictions and penalties; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 938—

BY REPRESENTATIVE GARY SMITH

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to the Department of Education, State Activities, for payment or reimbursement for payment of legal expenses of James P. Dukes; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 940—

BY REPRESENTATIVE DANIEL

AN ACT

To repeal R.S. 48:56(A), relative to reporting on state projects by the Department of Transportation and Development; to repeal the requirement for annual reports on state projects to the legislature.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 941—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 48:255.2, relative to public contracts of the Department of Transportation and Development; to provide relative to the performance of surety companies when a contractor defaults; to reduce the time allowed for a surety company to respond to notification of a contractor's default; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 943—

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 9:3143(6), 3144(A)(2), and 3150 and to enact R.S. 9:3144(B)(19), relative to home warranties; to provide for definitions; to provide for certain warranties; to provide for exclusions; to provide relative to civil actions; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 972—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:402(B)(1)(a), relative to drivers' licenses; to authorize the operator of a motor vehicle to drive without a driver's license under certain circumstances; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 973—

BY REPRESENTATIVE DIEZ

AN ACT

To enact Part XII of Chapter 2 of Code Title XII of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3568, and R.S. 9:3571.1(H)(3) and (I) through (L), relative to consumer credit; to provide for protection of victims of identity theft; to provide for police reports; to provide for information to be made available by creditors; to provide for security alerts; to provide for damages; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 975—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To enact R.S. 37:77.1, relative to accountants; to provide for the continued operation and certification of certain single-owner CPA firms for a certain period of time following such owner's death; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1004—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 29:27(B)(introductory paragraph) and (1) and to repeal R.S. 17:157(C) and R.S. 47:820.5(A), relative to tolls on the Sunshine Bridge; to repeal the tolls on the Sunshine Bridge; to repeal certain exemptions from the tolls on the Sunshine Bridge; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1005—

BY REPRESENTATIVE SCHWEGMANN

AN ACT

To enact Subpart X of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.71, relative to state individual income tax checkoffs; to provide for a method for individuals to donate a portion of any refund due to the Louisiana Animal Welfare Commission; to provide for collection and disbursement of the donation by the Department of Revenue; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1053—

BY REPRESENTATIVE LANCASTER

AN ACT

To enact R.S. 42:6.1(A)(9) and R.S. 44:20, relative to tests prepared, administered, or scored by the office of the state examiner, municipal fire and police civil service; to provide that certain test-related information is confidential; to require certain presentations of such test-related information to occur in executive session; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1068—

BY REPRESENTATIVE LEBLANC

AN ACT

To amend and reenact R.S. 39:87.2, relative to performance-based budgeting; to provide for a process by which an agency's performance data may be adjusted after the budget has been enacted; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1074—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 48:346, relative to duties and functions of certain employees of the Department of Transportation and Development; to authorize the assistant secretary of the office of operations or the chief engineer to close any section of a highway under certain circumstances; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1118—

BY REPRESENTATIVES TOOMY AND BRUCE
AN ACT

To enact R.S. 15:85.1, relative to original bonds; to provide for a fee to be assessed in connection with certain criminal bonds posted; to provide for the collection of the fees; to provide for the distribution of the fee proceeds; to provide for the creation of a crime lab committee in each parish and to provide for its membership and duties; to provide for criteria in determining which persons may petition the court for a waiver of the fees; to provide for refunds of the fees; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1154—

BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 32:387.7, relative to special permits; to provide relative to special permits for trucks hauling sugarcane; to provide relative to violations of the authorized weight limit; to provide relative to an appeal process for violations; to prohibit the issuance of special permits to certain trucks beginning August 1, 2008; to authorize the promulgation of rules and regulations; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1170—

BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 30:2158(A)(2)(b) and 2226(H)(1), relative to contamination of groundwater through migration; to provide for prevention of migration from sanitary landfills; to provide for prevention of migration at certain hazardous waste sites; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1177—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 47:2183, relative to tax sales of immovable property; to provide for notice to the prior owner; to provide for applicability to parishes or municipalities; to provide for an effective date and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1178—

BY REPRESENTATIVE DEVILLIER
AN ACT

To amend and reenact R.S. 14:20(4), relative to justifiable homicide; to provide that a homicide committed by a person engaged in the acquisition, distribution, or possession with intent to distribute a controlled dangerous substance is not justifiable in certain circumstances; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1191—

BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 14:67.1 and to repeal R.S. 14:67.4 and 67.5, relative to theft; to provide for the crime of theft of livestock; to provide for criminal intent; to provide for criminal penalties; to provide for presumptive evidence and affirmative defenses; to define "livestock"; to repeal the crimes of theft of domesticated fish from fish farms and theft of crawfish; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1217—

BY REPRESENTATIVES TRICHE, ANSARDI, ARNOLD, BALDONE, BAUDOUIN, BOWLER, BROOME, BRUCE, CROWE, CURTIS, DAMICO, DARTEZ, DIEZ, DOERGE, DOWNER, DURAND, FANNIN, FLAVIN, FRITH, FUTRELL, GALLOT, GLOVER, GUILLORY, HEBERT, HILL, HONEY, HUDSON, ILES, KENNARD, KENNEY, LUCAS, MCDONALD, MCVEA, MONTGOMERY, MORRELL, NEVERS, PIERRE, POWELL, QUEZAIRE, RICHMOND, JACK SMITH, JANE SMITH, STRAIN, THOMPSON, WADDELL, WALSWORTH, WELCH, WINSTON, AND WOOTON AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 30:136.3, 209(2) and (4)(b), and 212(D)(2) and (3), relative to the office of mineral resources funding authority; to rename the Mineral Resources Audit and Collection Fund; to provide for revenues to be credited to the fund; to provide for appropriation from the fund; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1273—

BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 56:106, relative to hunting field trials; to provide relative to notice requirements for a nonresident participating in a field trial to be exempt from the requirement for a hunting license; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1281—

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 13:2586(C)(2) and 2587.1, R.S. 32:414(A)(3)(a) and (b), and R.S. 30:2522(3), 2531, 2531.5(D), 2531.6(A)(2), 2535(E), and 2544(D) and to repeal R.S. 30:2531.2, relative to littering; to provide for definitions; to prohibit intentional and simple littering; to provide for criminal and civil penalties; to provide for special court costs; to provide for jurisdiction of justices of the peace; to provide for prosecutorial powers of constables; to provide for enforcement; to provide for litter receptacles; to provide for litter-free zones; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1299—

BY REPRESENTATIVES DANIEL, JOHN SMITH, AND WELCH
AN ACT

To amend and reenact R.S. 30:2484(A)(5) and 2486(A), (B), (C)(1), and (D), and 2487(A), relative to the Oil Spill Contingency Fund; to provide for grants from the fund for research, testing, and development of discharge and blowout prevention and training using full scale well service training; to provide with respect to the fund balance as it relates to the collection of fees; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1304—

BY REPRESENTATIVES STELLY, FLAVIN, GUILLORY, JOHNS, AND MORRISH AND SENATORS CAIN, MOUNT, AND THEUNISSEN

AN ACT

To amend and reenact R.S. 27:392(B)(2)(b), (3)(b) and (c), (4), and (5), relative to the distribution of revenues derived under the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide for the distribution of such revenues in Calcasieu Parish; to make certain technical corrections; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1397—

BY REPRESENTATIVE DIEZ

AN ACT

To enact R.S. 38:2212(A)(3)(f), relative to public contracts; to prohibit allowances in certain contracts; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1448—

BY REPRESENTATIVES HEBERT, ERDEY, BOWLER, CAPELLA, MORRISH, GARY SMITH, BALDONE, GLOVER, SCALISE, AND WALSWORTH

AN ACT

To enact Part XXXI-A of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1481 through 1494, relative to the use of credit information for personal insurance; to provide for requirements and restrictions; to provide for corrections; to provide for notification; to provide for filings; to provide for indemnification; to provide for applicability; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1468—

BY REPRESENTATIVE SCHWEGMANN

AN ACT

To enact R.S. 56:6(30), relative to nonhuman primates; to provide that the Department of Wildlife and Fisheries shall promulgate rules and regulations regarding the purchase and possession of nonhuman primates; to provide for issuance of certain permits; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1486—

BY REPRESENTATIVES TOOMY, ANSARDI, CAPELLA, DAMICO, GREEN, MARTINY, BAUDIN, BRUCE, CAZAYOUX, DOWNS, FANNIN, FRITH, HILL, KENNEY, LAFLEUR, MORRISH, JACK SMITH, AND STRAIN AND SENATOR LENTINI

AN ACT

To amend and reenact R.S. 3:2735, 2736, and 2774 and to enact R.S. 3:2778 and Part VIII of Chapter 18 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:3021, relative to regulation of dogs and animals; to provide exceptions for parishes and municipalities of over four hundred twenty-five thousand population operating under a home rule charter; to provide for the utilization of license fees and fines; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1487—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 40:1622, relative to fire protection and prevention; to provide for criminal and civil liability for violations; to provide for a rebuttable presumption; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1494—

BY REPRESENTATIVE TUCKER

AN ACT

To enact Part VI-A of Chapter 20 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1742, relative to direct billing of anatomical pathology services; to provide for rules and regulations relative to billing for such services; to provide for penalties for violations; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1630—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 40:1563(B)(introductory paragraph) and (4) and (C), relative to the state fire marshal; to provide for additional requirements for the creation and operation of fire prevention bureaus; to provide for jurisdictional rules for inspections; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1649—

BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 44:11(D), relative to confidentiality of certain information in personnel records; to provide that certain information in the personnel records of a public employee or public official shall be confidential; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1658—

BY REPRESENTATIVE ALARIO

AN ACT

To enact R.S. 47:301(16)(l), relative to the sales and use tax; to provide for a local sales and use tax exclusion for certain other structures permanently attached to the ground; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1733—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2277(3) and to enact R.S. 30:2272(10), (11), and (12) and 2277(5), relative to liability for hazardous substance remedial action; to provide relative to such liability; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1801 (Substitute for House Bill No. 1749 by Representative Flavin)—

BY REPRESENTATIVES FLAVIN, JOHNS, MORRISH, AND STELLY AND SENATORS THEUNISSEN AND MOUNT

AN ACT

To amend and reenact R.S. 34:202 and 204 and to enact R.S. 34:204.1, relative to the Lake Charles Harbor and Terminal District; to provide relative to the appointment and terms of the district's board of commissioners; to provide relative to the board's responsibility for management of the district; to provide for the employment of a port director including his qualifications and duties; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1825 (Substitute for House Bill No. 25 by Representative Crowe)—

BY REPRESENTATIVES CROWE AND CAZAYOUX

AN ACT

To enact R.S. 14:39.3, relative to the crime of unintentional injury of a police officer; to create the crime of unintentional injury of a police officer; to provide for definitions; to provide for penalties; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1826 (Substitute for House Bill No. 1081 by Representative Durand) —

BY REPRESENTATIVE DURAND
AN ACT

To enact R.S. 37:934, relative to registered nurses; to provide for utilization review under the Louisiana Medical Assistance Program; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1827 (Substitute for House Bill No. 1262 by Representative Thompson) —

BY REPRESENTATIVE THOMPSON
AN ACT

To enact R.S. 3:304, relative to the master farmer program; to provide for certification; to provide for the promulgation of rules and regulations; to provide for requirements for certification and maintaining certification; to provide for verification; and to provide for related matters.

The bill was read by title; lies over under the rules.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

May 5, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 24—

BY REPRESENTATIVE PIERRE
A CONCURRENT RESOLUTION

To approve the Coastal Wetlands Conservation and Restoration Plan for Fiscal Year 2003-2004, as adopted by the Wetlands Conservation and Restoration Authority.

HOUSE CONCURRENT RESOLUTION NO. 9—

BY REPRESENTATIVE SCHNEIDER
A CONCURRENT RESOLUTION

To urge and request the National Collegiate Athletic Association (NCAA), National Football League (NFL), National Basketball Association (NBA), Major League Baseball (MLB), National Hockey League (NHL), National Association of Sports Officials (NASO), and other professional sports associations to develop rules for retraining, censuring, or dismissing incompetent referees, umpires, judges, linemen, and other sports officials under their jurisdiction for incorrect or missed calls during an athletic contest and to publicly acknowledge these errors in a timely manner in order to restore and maintain public confidence in the games.

HOUSE CONCURRENT RESOLUTION NO. 30—

BY REPRESENTATIVE SALTER
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the practicality and feasibility of installing lighting systems at heavily traveled intersections along rural state highways and to report its findings to the House and Senate Transportation, Highways and Public Works Committees prior to the convening of the 2004 Regular Session.

HOUSE CONCURRENT RESOLUTION NO. 60—

BY REPRESENTATIVE THOMPSON
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to promulgate rules and regulations as provided for in R.S. 48:295.1 et seq.

HOUSE CONCURRENT RESOLUTION NO. 141—

BY REPRESENTATIVE L. JACKSON
A CONCURRENT RESOLUTION

To recognize May of 2003 as hepatitis C Awareness and Education Month at the Louisiana Legislature.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Concurrent Resolutions

Senator Lambert asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 9—

BY REPRESENTATIVE SCHNEIDER
A CONCURRENT RESOLUTION

To urge and request the National Collegiate Athletic Association (NCAA), National Football League (NFL), National Basketball Association (NBA), Major League Baseball (MLB), National Hockey League (NHL), National Association of Sports Officials (NASO), and other professional sports associations to develop rules for retraining, censuring, or dismissing incompetent referees, umpires, judges, linemen, and other sports officials under their jurisdiction for incorrect or missed calls during an athletic contest and to publicly acknowledge these errors in a timely manner in order to restore and maintain public confidence in the games.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Education.

HOUSE CONCURRENT RESOLUTION NO. 24—

BY REPRESENTATIVE PIERRE
A CONCURRENT RESOLUTION

To approve the Coastal Wetlands Conservation and Restoration Plan for Fiscal Year 2003-2004, as adopted by the Wetlands Conservation and Restoration Authority.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 30—

BY REPRESENTATIVE SALTER
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the practicality and feasibility of installing lighting systems at heavily traveled intersections along rural state highways and to report its findings to the House and Senate Transportation, Highways and Public Works Committees prior to the convening of the 2004 Regular Session.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 60—

BY REPRESENTATIVE THOMPSON
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to promulgate rules and regulations as provided for in R.S. 48:295.1 et seq.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 141—

BY REPRESENTATIVE L. JACKSON

A CONCURRENT RESOLUTION

To recognize May of 2003 as hepatitis C Awareness and Education Month at the Louisiana Legislature.

The resolution was read by title. Senator Adley moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Theunissen
Dupre	Jones, CD	
Ellington	Lambert	
Total—31		

NAYS

Total—0

ABSENT

Bean	Jones, B	Thomas
Cravins	Romero	Ullo
Hoyt	Tarver	
Total—8		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

House Bills and Joint Resolutions to be Referred to the Legislative Bureau

The following House Bills and Joint Resolutions were read by title and referred to the Legislative Bureau as follows:

HOUSE BILL NO. 225—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:217(B) and (C), 232(C), 352.1(H)(4), 361(B)(2), 364.1(B), 365.1(A)(4), 366(E), 367(B)(7), 706(D), (E), and (F), 721(C)(4), (D), and (F), 862, 863(B), 868(E), 938(C), 1273(C), and 1284(5), relative to financial institution filing requirements; to eliminate document filing requirements with the secretary of state; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 718, was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 932—

BY REPRESENTATIVE PITRE AND SENATOR DUPRE

AN ACT

To enact R.S. 47:463.111, relative to motor vehicles; to provide relative to the issuance of license plates; to create the "America's WETLAND" prestige license plate to promote Louisiana's coastal wetlands and coastal wetland restoration; to provide

relative to the fee for such plate; to provide for the design of such plate; to authorize the promulgation of rules and regulations; and to provide for related matters.

Floor Amendments Sent Up

Senator Dupre sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Dupre to Engrossed House Bill No. 932 by Representative Pitre (Duplicate of Senate Bill No. 28)

AMENDMENT NO. 1

On page 2, line 8, between "annual" and "fee" insert "royalty"

AMENDMENT NO. 2

On page 2, line 10, between "This" and "fee" insert "royalty"

AMENDMENT NO. 3

On page 2, line 14, immediately after "dollar" add "royalty"

AMENDMENT NO. 4

On page 2, line 15, change "WETLAND Foundation" to "Wetland Incorporated"

On motion of Senator Dupre, the amendments were adopted.

Under the provisions of Joint Rule No. 5, the amended bill, which is a duplicate of Senate Bill No. 28, was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1007—

BY REPRESENTATIVES BRUNEAU AND RICHMOND AND SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 8:1(7) and (26), 656, 657, 658, 661, and 662 and R.S. 37:831(9), (16), and (23), 846(A)(6), (11), (13), and (14) and 849 and to enact R.S. 37:831(53) through (70) and 846(A)(16) through (19), and Part III of Chapter 10 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:871 through 885, relative to crematories; to provide for definitions; to provide for records of cemetery authorities; to provide relative to the Louisiana State Board of Embalmers and Funeral Directors; to provide for grounds for administrative action; to provide for injunction proceedings; to prohibit certain actions; to provide for qualifications for licenses and exceptions; to provide for renewal of licenses; to provide for license fees; to provide for authorizing agents for cremation; to provide for authorizations to cremate and refusals to cremate; to provide for cremation containers; to provide for cremation procedures and delivery and packaging of cremated human remains; to provide for the disposition of cremated human remains; to provide for violations and penalties; to provide relative to liability; to provide for administration and the promulgation of rules and regulations; to provide relative to pre-arranged or prepaid cremation services; and to provide for related matters.

Floor Amendments Sent Up

Senator Boissiere sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Boissiere to Engrossed House Bill No. 1007 by Representative Bruneau (Duplicate of Senate Bill No. 347)

AMENDMENT NO. 1

On page 4, line 19, change "meaning" to "meanings"

AMENDMENT NO. 2

On page 4, line 22, after "container" delete the remainder of the line and delete line 23 in its entirety.

AMENDMENT NO. 3

On page 4, line 24, delete "ceremonies."

AMENDMENT NO. 4

On page 4, line 24, after "metal," add "plastic."

AMENDMENT NO. 5

On page 5, line 1, after "combustible," add the following: "in which a dead body is placed for religious services or other rites or ceremonies,"

AMENDMENT NO. 6

On page 5, line 5, immediately after "body" delete the remainder of the line

AMENDMENT NO. 7

On page 5, line 6, delete "dead human body."

AMENDMENT NO. 8

On page 18, delete line 13, in its entirety and insert in lieu thereof the following: "for in Part XXVI of Chapter 1 of Title 51 of the Sanitary Code."

AMENDMENT NO. 9

On page 19, line 8, between "pacemaker" and "or" delete the comma " , "

AMENDMENT NO. 10

On page 19, line 11, between "pacemaker" and "or" delete the comma " , "

On motion of Senator Boissiere, the amendments were adopted.

Under the provisions of Joint Rule No. 5, the amended bill, which is a duplicate of Senate Bill No. 347, was read by title and referred to the Legislative Bureau.

House Bills and Joint Resolutions on Second Reading to be Referred

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

HOUSE BILL NO. 87—

BY REPRESENTATIVES JOHNS AND ANSARDI
AN ACT

To amend and reenact Civil Code Articles 395 and 1482 and Code of Civil Procedure Articles 4541(introductory paragraph), 4548, 4549(A)(1), and 4552(B) and to enact Code of Civil Procedure Article 4541(B), relative to the interdiction of persons; to provide for the capacity of an interdict; to provide for the proof of incapacity; to provide for the petition for interdiction; to provide for temporary interdiction; to provide for the recordation of judgments; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 280—

BY REPRESENTATIVE DEWITT
AN ACT

To enact Part II of Chapter 4 of Title 41 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 41:151, relative to receipt of donation of immovable property by the state; to provide for procedures by which the state may accept donation of immovable property; and to provide for related matters.

On motion of Senator Lambert, the bill, which was designated a duplicate of Senate Bill No. 79, was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 281—

BY REPRESENTATIVE DEWITT
AN ACT

To enact R.S. 36:254.1 and to repeal Act No. 146 of the 1995 Regular Session of the Louisiana Legislature and R.S. 29:33.1, relative to the Hot Wells Rehabilitation Center; to transfer the center to the office of public health in the Department of Health and Hospitals; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 292—

BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 32:414.2(A)(1)(a), relative to commercial motor vehicle drivers; to require the disqualification of driving privileges for certain drivers; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 293—

BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 32:409.1(A)(1)(e) and (6)(a), relative to drivers' licenses; to provide relative to applications for drivers' licenses; to require certain information to be submitted by applicants for a commercial driver's license; to require the department to check certain driving record information relative to commercial driver's license applicants; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 318—

BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 32:409.1(A)(8), relative to drivers' licenses; to prohibit the department from issuing certain commercial drivers' licenses and permits under certain circumstances; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 319—

BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 32:408(B)(3)(introductory paragraph) and (f) and to enact R.S. 32:408(B)(3)(g), relative to drivers' licenses; to create a school bus endorsement for commercial drivers' licenses; to require the department to issue endorsements under certain circumstances; to provide for exceptions; to authorize the department to implement a federal waiver program; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 369—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:414.2(A)(1)(d)(v) and to enact R.S. 32:414.2(A)(1)(d)(vi) through (ix), relative to commercial motor vehicle drivers; to provide relative to "serious traffic violations" for commercial motor vehicle drivers; to add certain offenses to the list of "serious traffic violations"; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 389—

BY REPRESENTATIVE DIEZ

AN ACT

To enact R.S. 32:414.2(A)(7), relative to commercial motor vehicle drivers; to require the department to notify certain licensing entities of driving disqualifications; to provide relative to the requirements of such notice; to require certain information to be included in official operating records; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 390—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:414.2(A)(1)(b)(i), relative to commercial motor vehicle drivers; to provide relative to disqualification of commercial driving privileges; to require a disqualification of commercial driving privileges to become part of an individual's operating record; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 1173—

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 56:326.5, relative to taking of bowfin; to provide for a minimum size for taking of bowfin; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 1384—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact Code of Criminal Procedure Article 339, relative to types of bail; to provide that defendants may combine different types of bail; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 1669—

BY REPRESENTATIVES THOMPSON, R. CARTER, BAUDOIN, CAZAYOUX, DOWNS, FANNIN, FRITH, HILL, KENNEY, MORRISH, JACK SMITH, AND STRAIN

AN ACT

To amend and reenact Part VI of Chapter 5 of Title 3 of the Louisiana Revised statutes of 1950, to be comprised of R.S. 3:551.1 through 551.12, relative to the production and sale of eggs in Louisiana; to provide relative to the composition of the Louisiana Egg Commission; to provide relative to the authority of the commission and the authority of the commissioner of

agriculture and forestry to regulate the egg business; to provide relative to research on and marketing of eggs; to provide for fees and assessments; to provide relative to certain violations and penalties therefor; and to provide for related matters.

On motion of Senator Lambert, the bill, which was designated a duplicate of Senate Bill No. 779, was read by title and returned to the calendar, subject to call.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

REVENUE AND FISCAL AFFAIRS

Senator Barham, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

May 5, 2003

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

SENATE BILL NO. 720—

BY SENATOR HAINKEL

AN ACT

To enact Chapter 10-E of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4549.1 through 4549.5, relative to the Local Government Capital Outlay Projects Fund Program; to provide legislative findings; to establish the Local Government Capital Outlay Projects Fund Program; to provide for funding of the program; to provide for the administration of the program; to provide for financing conditions and repayment; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 828—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 27:353(4), 361(C), 363, and 392(B)(3)(b) and to enact R.S. 27:372.1 and 392(B)(3)(d), relative to Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide with respect to slot machine gaming at live racing facilities; to authorize slot machine gaming at an eligible facility in Orleans Parish; to provide with respect to the allocation of revenue; to provide for the authority of the Gaming Control Board to approve, execute, and implement an amendment of the casino operating contract and issue or modify regulatory approvals related thereto; to provide limitations on the number of slot machines operated at an eligible facility in Orleans Parish; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1127—

BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 47:303.1(B) through (H), and enact R.S. 47:303.1(I) through (M), relative to direct payment numbers; to delete the requirement that the taxpayer's primary business in the state is that of a manufacturer; to clarify the requirement specifying that a taxpayer have an annual average of fifteen million dollars of taxable purchases or leases of tangible personal property and taxable services; to authorize a fee for issuance of a direct payment number; to require the taxpayer to agree to use sampling in the performance of audits; to specify

the applicable use of the direct payment number; to prohibit the use of direct payment numbers by certain taxpayers; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 880—
BY REPRESENTATIVE JOHN SMITH
AN ACT

To amend and reenact R.S. 47:302.5, 322.19, and 332.3, relative to the state sales and use tax on hotel occupancy levied in Vernon Parish; to provide for the allocation, administration, and use of such monies; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 987—
BY REPRESENTATIVES DEWITT, DANIEL, FAUCHEUX, HAMMETT, HILL, L. JACKSON, ODINET, AND TOWNSEND AND SENATOR HAINKEL
AN ACT

To amend and reenact R.S. 47:1832(A), relative to the tax commission; to provide for the membership of such commission; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1032—
BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:1838(introductory paragraph), relative to the Louisiana Tax Commission; to authorize the continued assessment and collection of fees assessed in connection with services performed by the commission; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1041—
BY REPRESENTATIVES CAZAYOUX AND BRUCE
AN ACT

To enact R.S. 39:1786(A)(10), relative to the powers of the Louisiana Correctional Facilities Corporation; to authorize the corporation to alienate or sell any properties acquired by the corporation but which have not been used for the purposes of financing and acquisition of correctional facilities for lease to the state of Louisiana; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ROBERT J. BARHAM
Chairman

**Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees**

The following Senate Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

SENATE BILL NO. 2—
BY SENATOR DUPRE
AN ACT

To enact R.S. 56:303.7(D), relative to the transportation and sale of a commercial fisherman's catch; to provide that a commercial fisherman is exempt from having to possess a "mobile food vendor's permit" under certain circumstances; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 2 by Senator Dupre

AMENDMENT NO. 1
On page 1, line 2, change "56:303.7(D)," to "40:940.52,"

AMENDMENT NO. 2
On page 1, line 7, change "56:303.7(D)" to "40:940.52"

AMENDMENT NO. 3
On page 1, delete line 8 in its entirety and insert in lieu thereof the following:

"§940.52. Commercial fisherman's catch; transportation and sale"

AMENDMENT NO. 4
On page 1, line 11, delete "D."

AMENDMENT NO. 5
On page 1, at the end of line 14, add the following: "No commercial fisherman shall be allowed to sell oysters under the provisions of this Section."

On motion of Senator Romero, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 3—
BY SENATOR DUPRE
AN ACT

To enact R.S. 56:303.1.1(E), relative to the fresh products license; to authorize the purchase of an additional fresh products license; to authorize the spouse of a commercial fisherman to sell the catch while the commercial fisherman continues to fish; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 3 by Senator Dupre.

AMENDMENT NO. 1
On page 1, at the end of line 15, add the following: "The secretary of the Department of Wildlife and Fisheries shall promulgate rules and regulations implementing the provisions of this Subsection."

On motion of Senator Romero, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

HOUSE BILL NO. 49—
BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 14:18, relative to justification; to add a necessity and choice of evils circumstance as a defense of justification; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. On motion of Senator Romero, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 122—
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 56:499.3(A), relative to butterfly and bottom nets; to authorize their use only in Oyster Bayou; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 122 by Senator Dupre

AMENDMENT NO. 1

On page 1, delete line 3 in its entirety and insert in lieu thereof the following: "to authorize such nets in Grant Pass from a fishing boat or vessel whether or not it is motor propelled or underway; and to provide for related"

On motion of Senator Romero, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 133—
BY SENATOR HOYT

AN ACT

To amend and reenact R.S. 38:2251(K) and R.S. 39:1595(J) and to enact R.S. 38:2251(L) and R.S. 39:1595(K), relative to public contracts; to provide preferences for expanded shale or clay from certain American-owned companies; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 133 by Senator Hoyt

AMENDMENT NO. 1

On page 1, line 2, delete "and to enact R.S." and on line 3 delete "38:2251(L) and R.S. 39:1595(K)"

AMENDMENT NO. 2

On page 1, delete lines 4 and 5, and insert "provide for preferences for certain clay products; and to provide for related matters."

AMENDMENT NO. 3

On page 1, line 7, delete "and R.S." and on line 8, delete "38:2251(L) is hereby enacted"

AMENDMENT NO. 4

On page 1, delete lines 13 and 14, and on line 15, delete "shall procure or purchase" and insert "contrary, such preference shall not apply to"

AMENDMENT NO. 5

On page 2, line 3, after "state" delete the remainder of the line and insert a period "."

AMENDMENT NO. 6

On page 2, delete lines 4 through 20

AMENDMENT NO. 7

On page 2, line 21, delete "and R.S." and on line 22, delete "39:1595(K) is hereby enacted"

AMENDMENT NO. 8

On page 2, delete line 27, and insert "contrary, such preference shall not apply to"

AMENDMENT NO. 9

On page 3, delete line 1, and on line 2, delete "shall procure or purchase"

AMENDMENT NO. 10

On page 3, line 5, after "state" delete the remainder of the line and insert a period "."

AMENDMENT NO. 11

On page 3, delete lines 6 through 22

On motion of Senator Heitmeier, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 231—
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 17:10.3(C), relative to the School and District Accountability Rewards Fund; to provide for an optional secondary purpose for which monies in the fund may be spent; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 231 by Senator Theunissen

AMENDMENT NO. 1

On page 2, line 5, after "provide" insert "for"

On motion of Senator Theunissen, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 242—
BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 56:322(I), relative to crawfish traps; to extend the sunset provision for changing the mesh size of commercial crawfish traps; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. On motion of Senator Romero, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 261—
BY SENATOR HOYT

AN ACT

To repeal R.S. 48:491(B)(3), relative to roads and highways; to provide with respect to local and parish roads and eliminate an exception for Vermilion Parish; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 351—
BY SENATOR HOLDEN AND THOMAS

AN ACT

To amend R.S. 33:1236(32), relative to the powers of parish governing authorities; to authorize the governing authority of St. Helena Parish to operate, regulate, or subsidize ambulance services; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 351 by Senator Holden

AMENDMENT NO. 1

On page 1, line 2, after "amend" insert "and reenact"

AMENDMENT NO. 2

On page 1, line 3, after "Helena" delete "Parish" and insert ", St. Tammany, and Washington Parishes"

AMENDMENT NO. 3

On page 2, line 3, change "parishes" to "parish" and at the end of the line delete "St."

AMENDMENT NO. 4

On page 2, line 4, delete "Tammany, Washington," and after "St. Helena," delete "and"

On motion of Senator Bajoie, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 360—

BY SENATOR THEUNISSEN AND REPRESENTATIVE THOMPSON
AN ACT

To enact R.S. 17:185.5, relative to agricultural education; to establish the Louisiana Center for Agricultural Science and Education; to provide for administration and operation of the center; to specify its purposes; to establish an oversight committee; to provide for funding; to provide for audits; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 360 by Senator Theunissen

AMENDMENT NO. 1

On page 2, line 1, after "with the" delete the remainder of the line and delete line 2 and insert "Southern University Agricultural Research and Extension Center, the Department of Education, and the Louisiana Community and Technical College"

AMENDMENT NO. 2

On page 2, line 6, after "College" insert "and the Board of Regents"

AMENDMENT NO. 3

On page 2, line 7, after "Center" insert "and the Southern University Agricultural Research and Extension Center"

AMENDMENT NO. 4

On page 2, line 25, after "provided" delete the remainder of the line and delete line 26 and insert "from any public or"

AMENDMENT NO. 5

On page 3, line 1, before "private" delete "other"

AMENDMENT NO. 6

On page 3, between lines 6 and 7, insert as follows:

"(2) The chancellor of the Southern University Agricultural Research and Extension Center, or his designee."

AMENDMENT NO. 7

On page 3, line 7, change "(2)" to "(3)"

AMENDMENT NO. 8

On page 3, line 8, change "(3)" to "(4)"

AMENDMENT NO. 9

On page 3, line 10, change "(4)" to "(5)"

AMENDMENT NO. 10

On page 3, line 11, change "(5)" to "(6)"

AMENDMENT NO. 11

On page 3, line 13, change "(6)" to "(7)"

AMENDMENT NO. 12

On page 3, line 15, change "(7)" to "(8)"

AMENDMENT NO. 13

On page 3, line 18, change "(8)" to "(9)"

On motion of Senator Theunissen, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 362—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 44:4.1(B)(8) and to enact R.S. 17:3135, relative to student education records; to provide for the rights of students and parents of dependent students to inspect and review education records in accordance with the federal Family Educational Rights and Privacy Act; to require the postsecondary education management boards to submit institutional policies regarding notification of such rights to the Board of Regents; to authorize institutions to charge a fee for copying or mailing such records; to require compliance with federal law; to exempt such student education records from the public records law; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 362 by Senator Theunissen

AMENDMENT NO. 1

On page 1, line 3, after "for the" delete the remainder of the line and delete line 4 and insert "access of parents to the education records of their dependent child"

AMENDMENT NO. 2

On page 1, line 7, delete "regarding notification of such rights"

AMENDMENT NO. 3

On page 1, delete lines 14 and 15 and delete pages 2 and 3 and insert as follows:

"§3135. Disclosure of postsecondary student education records; access to parents of dependent children"

R.S. 17:3135 is all proposed new law.

A. The purpose of this Section is to provide for the access of a parent to view the education records of their dependent child as provided under the federal Family Educational Rights and Privacy Act.

B. The Board of Regents shall require each postsecondary education management board to submit a policy from each of its institutions that provides for the notification to parents that information from an education record of a student may be disclosed to the parent of a dependent child, as defined in Section 152 of the Internal Revenue Code, as provided in this Section and in compliance with 20 USC 1232(g) and 34 CFR 99 et seq., as amended.

C.(1) Each policy shall, at a minimum, provide for:

(a) Notification to parents of the provisions of the federal Family Educational Rights and Privacy Act and the requirements to access a dependent child's records.

(b) A requirement that a parent verify and document that a student is the dependent child of the parent.

(2) If circumstances effectively prevent the parent from viewing the student's education record, then the institution may do one of the following:

(i) Provide the parent with a copy of the records requested.

(ii) Make other arrangements for the parent to view the records requested.

(3) An institution may charge a fee to copy or mail an education record which is made for the parent, unless the imposition of such a fee effectively prevents a parent from viewing such records.

D. An institution shall provide access to either parent of a dependent child under the federal Family Educational Rights and Privacy Act and R.S. 9:351, unless evidence has been provided that a court has"

AMENDMENT NO. 4

On page 4, delete lines 3 and 4 and insert "education under the provisions of this Section shall comply with the"

On motion of Senator Theunissen, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 422—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 38:2225.5, relative to public contracts; to prohibit a local entity from utilizing the "design-build" concept; to prohibit a local entity from entering into any agreement to purchase unimproved property which requires the successful design and construction of a structure prior to transfer of title; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 441—

BY SENATOR MOUNT

AN ACT

To enact R.S. 17:176.1, relative to the conduct of school related activities; to provide with regard to prohibited locations for school related activities; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 441 by Senator Mount

AMENDMENT NO. 1

On page 1, line 9, after "A." insert "(1)" and after "conducted" delete the remainder of the line and delete lines 10 and 11 and insert the following: "within two hundred and fifty feet of a designated gaming area as defined by R.S. 27:44(4), or within two hundred and fifty feet of a designated gaming area as defined by R.S. 27:353(12), or within two hundred and fifty feet of a designated gaming area as defined by R.S. 27:205(4), or within two hundred and fifty feet of Class III gaming as defined by 25 USC 2701 et seq.

(2) The minimum distance between school activity and gaming activity provided in Paragraph (1) of this Subsection shall be measured as a person walks using the sidewalk and other publicly accessible corridors and walkways from the nearest point of the school activity to the nearest point of gaming activity. In no

circumstance shall access to any school activity be permitted through areas where such described gaming activities are conducted."

AMENDMENT NO. 2

On page 2, line 3, after "for" insert "participation by"

On motion of Senator Theunissen, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 470—

BY SENATOR HOYT

AN ACT

To enact R.S. 32:388(G), relative to safety regulations; to provide for fines and suspension of operating authority under special oversize load permits for violation of their terms or for falsifying information on permit applications; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 470 by Senator Hoyt

AMENDMENT NO. 1

On page 1, line 2, delete "R.S. 32:388(G), relative to safety regulations;" and insert "R.S. 32:387(C)(7) and 388(G), relative to permits; to provide for special oversize load permits;"

AMENDMENT NO. 2

On page 1, line 7, delete "R.S. 32:388(G) is" and insert "R.S. 32:387(C)(7) and 388(G) are"

AMENDMENT NO. 3

On page 1, between lines 7 and 8, insert:

"387. Special permits

* * *
* * *

C.

R.S. 32:387(C)(7) is all proposed new law.

(7) The secretary may issue a special permit for the transportation of houses and other buildings, except manufactured houses as defined in Section 5402 of Title 42 of the United States Code. The permit shall be valid for a period of thirty days from the date of issuance. The permit shall provide for size and weight limitations and may specify the roads or highways over which the vehicle may operate. The secretary may promulgate rules and regulations in accordance with the Administrative Procedure Act as may be necessary to effectuate these provisions.

* * *

AMENDMENT NO. 4

On page 1, line 12, delete "an annual" and insert "a"

AMENDMENT NO. 5

On page 1, line 13, delete "Subpart (B) of this Part" and insert "R.S. 32:387(C)(7)"

AMENDMENT NO. 6

On page 2, line 1, after "fined" insert "up to"

AMENDMENT NO. 7

On page 2, line 4, after "law for" insert "up to"

AMENDMENT NO. 8

On page 2, line 5, after "fined" insert "up to"

AMENDMENT NO. 9

On page 2, line 8, after "law for" insert "up to"

On motion of Senator Heitmeier, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 475—
BY SENATOR THOMAS

AN ACT

To enact R.S. 36:509(S) and Part XXVI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.191 through 3087.205, to create the Washington Parish Reservoir District as a political subdivision and state agency; to provide for a board of commissioners to manage the reservoir district; to provide for the powers and duties of the district including the power to levy taxes and issue bonds to prohibit certain actions and to provide penalties; to provide relative to the district's relationship with the Department of Transportation and Development and the Louisiana Wildlife and Fisheries Commission; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Bajoie, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 637—
BY SENATOR HEITMEIER

AN ACT

To repeal R.S. 48:442(3)(e), relative to expropriation by the Department of Transportation and Development; to repeal the requirement of certain notification to the owners of property; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 646—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 38:2211(6) and 2212(D)(1), relative to public contracts; to provide for an exception to the formal bid process in the event of an extreme public emergency; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 647—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 48:81(A), (B)(2) and (4), 82(B)(4), (C), (D)(4), (6), and (10), and (E), and 83(A)(1) and (C), relative to the Louisiana Infrastructure Bank; to provide for legislative finding; to provide for use of funds; to provide for the definition of an "eligible infrastructure project"; to provide for types of loans; to provide for the president and chairman of the board of directors; to authorize the maximum length of infrastructure loans; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 647 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 3, after "and (C)," insert "and to enact R.S. 48:83(H),"

AMENDMENT NO. 2

On page 1, line 11, after "reenacted" insert "and R.S. 48:83(H) is hereby enacted"

AMENDMENT NO. 3

On page 6, after line 9, insert:

"R.S. 48:83(H) is all proposed new law.

H. Bonds, notes, or other evidence of indebtedness issued or any infrastructure bank loan entered into under the authority of this Section shall be legal investments for all private entities including but not limited to state or state-wide public retirement systems and entities may purchase or guarantee bonds of the infrastructure bank or may otherwise enhance the performance of the infrastructure bank by entering into financial arrangements pursuant to a financing agreement containing such terms as necessary or convenient to further the purposes of this Subpart, any law to the contrary notwithstanding."

On motion of Senator Heitmeier, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 673—
BY SENATOR ULLO

AN ACT

To amend and reenact Section 3 of Act No. 666 of the 1997 Regular Session, as amended by the second Section 2 of Act No. 599 of the 1999 Regular Session, and as amended by Section 2 of Act No. 705 of the 2001 Regular Session, and to amend and reenact R.S. 56:700.2(A)(4), and to enact R.S. 56:700.2(A)(5), all relative to the Underwater Obstruction Removal Fund; to provide for annual deposits into the fund for an additional three years; to provide for a termination date; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 673 by Senator Ullo.

AMENDMENT NO. 1

On page 1, line 6, delete "and to enact R.S. 56:700.2(A)(5),"

AMENDMENT NO. 2

On page 2, line 6, change "**2004**" to "**2007**"

AMENDMENT NO. 3

On page 2, delete lines 11 through 17 in their entirety.

On motion of Senator Romero, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 688—
BY SENATOR ULLO

AN ACT

To enact R.S. 38:2211(A)(13) and 2212(A)(1)(f), relative to public contracts; to provide for the acceptance of bids via electronic medium; to authorize political subdivisions to accept bids for public works via any secure electronic interactive environment; to provide for definitions; to provide for exceptions; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 688 by Senator Ullo

AMENDMENT NO. 1

On page 1, line 4, change "any" to "certain"

AMENDMENT NO. 2

On page 2, line 10, after "(f)" change "All bids" to "(i) Bids" and change "projects" to "contracts"

AMENDMENT NO. 3

On page 2, delete line 12, and insert: "provided the entity has adopted the standards required in the rules and regulations provided for in Item(f)(ii) of this Subparagraph for"

AMENDMENT NO. 4

On page 2, line 19, after "of a bid." delete the remainder of the line and lines 20 through 23, and insert:

"(ii) The secretary of the Department of Transportation and Development, in consultation with representatives of political subdivisions, shall adopt rules and regulations pursuant to the Administrative Procedure Act which shall provide standards for the receipt of bids electronically by political subdivisions and for the secure electronic interactive environment, in order to insure the consistency of such procedure and environment among political subdivisions."

On motion of Senator Heitmeier, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 732—

BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 56:322(I), relative to crawfish traps; to reduce the minimum size mesh for commercial crawfish traps; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. On motion of Senator Romero, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 740—

BY SENATOR SCHEDLER

AN ACT

To enact R.S. 23:1168.1(C), relative to workers' compensation; to provide with respect to liability insurance; to provide self-insurance; to provide an exception when computing security requirements for self-insured hospitals; and to provide for related matters.

Reported with amendments by the Committee on Labor and Industrial Relations.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor & Industrial Relations to Original Senate Bill No. 740 by Senator Schedler.

AMENDMENT NO. 1

On page 1, delete lines 11 through 14, and insert the following:

"In computing security requirements under this Section, a self-insured hospital against whom a workers' compensation claim has been filed

and said self-insured hospital provides medical services to the claimant for which there is no cash outlay, the self-insured hospital shall be entitled to having the medical services portion of such workers' compensation claim deducted from any computation used in determining the hospital's surety bond or other acceptable security."

On motion of Senator C. Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 759—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 17:3398.2, relative to business and industry advisory boards for institutions of postsecondary education; to create and provide for the Process Technology Advisory Board; to provide for its membership; to provide for its mission; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 759 by Senator Theunissen

AMENDMENT NO. 1

On page 2, line 8, after "**developing**" delete "**implementing**."

AMENDMENT NO. 2

On page 2, line 15, change "**office of the governor**" to "**Louisiana Workforce Commission**"

AMENDMENT NO. 3

On page 3, line 20, delete "**and implement**"

On motion of Senator Theunissen, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 764—

BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 23:1049; relative to workers' compensation; to provide with respect to liability of employers; to exempt employers who fail to secure workers' compensation insurance or proper certification of self-insurance status from statutory immunity from recovery for all legal damages to the injured employee; and to provide for related matters.

Reported with amendments by the Committee on Labor and Industrial Relations.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 764 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 11, delete "An" and insert "A direct"

AMENDMENT NO. 2

On page 1, line 11, after "employer" insert " , not the statutory employer or special employer,"

AMENDMENT NO. 3

On page 1, line 13, change "23:1197" to "23:1168"

On motion of Senator C. Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 1018—

BY SENATOR B. JONES

AN ACT

To enact R.S. 33:2740.55, relative to municipalities and parishes; to provide for the creation, composition and powers of a downtown development district in the city of Ruston; to provide for the preparation of plans, levy of special ad valorem taxes, and issuance of bonds and other instruments of indebtedness; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 1018 by Senator B. Jones

AMENDMENT NO. 1

On page 1, line 10, change "downtown development district of the city" to "Downtown Development District of the City"

AMENDMENT NO. 2

On page 2, line 7, change "city" to "City"

AMENDMENT NO. 3

On page 2, line 8, change "district" to ""district""

AMENDMENT NO. 4

On page 2, line 11, change "city" to ""city""

AMENDMENT NO. 5

On page 2, line 20, change "board" to ""board""

AMENDMENT NO. 6

On page 3, line 12, between "for" and "one" insert "a term of" and delete "each"

AMENDMENT NO. 7

On page 3, line 13, between "for" and "two" insert "a term of" and delete "each"

AMENDMENT NO. 8

On page 3, line 14, between "for" and "three" insert "a term of"

AMENDMENT NO. 9

On page 7, line 18, change "The" to "Notwithstanding the" and at the end of the line delete "to the"

AMENDMENT NO. 10

On page 7, at the beginning of line 19, delete "contrary notwithstanding"

On motion of Senator Bajoie, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 1024—

BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 56:40.9(A), and to enact R.S. 56:10(B)(12), relative to the Conservation Fund; to create the enforcement emergency situation response account as a special account in the fund; to provide for the deposit of monies into the account and for the use of such monies for enforcement purposes; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. On motion of Senator Romero, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 1042—

BY SENATOR IRONS

AN ACT

To amend and reenact R.S. 17:121(A)(2), (B), and (C)(1) and to enact R.S. 17:121(A)(3), (4), and (5), relative to the Orleans Parish School Board; to provide for the appointment and membership of appointed members of the board; and to provide for related matters.

Reported favorably by the Committee on Education. On motion of Senator Theunissen, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 1056—

BY SENATOR HOYT

AN ACT

To amend and reenact the introductory paragraph of R.S. 33:130.562(A)(1), and to enact R.S. 33:130.562(A)(1)(d) and (e), relative to the Vermilion Parish Economic Development District; to provide for additional members to the Vermilion Parish Economic Development District board of commissioners; to provide for appointment of members; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 1056 by Senator Hoyt

AMENDMENT NO. 1

On page 1, between lines 7 and 8, insert the following:
"Notice of intention to introduce this Act has been published."

AMENDMENT NO. 2

On page 1, line 9, after "Section 1." insert "The introductory paragraph of" and after "amended" insert "and reenacted"

On motion of Senator Bajoie, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 1067—

BY SENATORS DUPRE AND GAUTREAUX

AN ACT

To enact R.S. 56:303(E), relative to commercial fishermen; to provide for endorsement of a commercial fisherman's license as certified; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 1067 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 11, change "E." to "E.(1)"

AMENDMENT NO. 2

On page 1, line 15, between "47:305.20(B)" and the period "." insert the following: "or provide proof to the Department of Wildlife and Fisheries from most recent federal income tax return that the individual earns at least fifty percent of his income from commercial fishing activities"

AMENDMENT NO. 3

On page 2, below line 2, add the following: "(2) The Department of Revenue shall provide to the Department of Wildlife and Fisheries such information relative to certificates of exemption issued pursuant to R.S. 47:305.20(B) as may be necessary to implement the provisions of this Subsection.

(3) The Wildlife and Fisheries Commission shall promulgate necessary rules and regulations to implement the provisions of this Subsection."

On motion of Senator Romero, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 1103—

BY SENATORS SCHEDLER AND HAINKEL

AN ACT

To amend and reenact R.S. 48:233, relative to roads and highways; to provide for projects in the highway priority program; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 1106—

BY SENATOR THOMAS

AN ACT

To designate a portion of Louisiana Highway 424 in Washington Parish as the "Simon S. Thomas Memorial Highway".

Reported favorably by the Committee on Transportation, Highways, and Public Works. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed, and passed to a third reading.

Senate Bills and Joint Resolutions on Second Reading

The following Senate Bills and Joint Resolutions were taken up and acted upon as follows:

SENATE BILL NO. 1131 (Substitute for Senate Bill No. 679)—

BY SENATOR SCHEDLER

AN ACT

To enact R.S. 28:382.1, relative to regionalization of human services delivery; to provide a statewide framework to govern the delivery of mental health, developmental disabilities and addictive disorders services funded by appropriations from the state; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and ordered engrossed and passed to a third reading.

Rules Suspended

Senator Boissiere asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 161 from the Committee on Senate and Governmental Affairs.

SENATE BILL NO. 161—

BY SENATOR BOISSIERE

A JOINT RESOLUTION

Proposing to amend Article X, Section 2(B)(10) of the Constitution of Louisiana, relative to the city civil service system; to remove the offices of the clerk of the Municipal Court and the clerk of the Traffic Court of New Orleans from the classified civil service; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

On motion of Senator Boissiere, the bill was read by title and withdrawn from the files of the Senate.

Rules Suspended

Senator Ellington asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 1530 from the Committee on Agriculture.

HOUSE BILL NO. 1530—

BY REPRESENTATIVES THOMPSON, KENNEY, BAUDOUIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, MORRISH, JACK SMITH, AND STRAIN

AN ACT

To amend and reenact R.S. 3:1614(C) and 1617(A) and to enact R.S. 3:1614(D), relative to cotton; to provide for the holding of referendums to terminate or modify boll weevil assessments; to provide relative to liens on cotton for payment of assessment; and to provide for related matters.

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Ellington to Engrossed House Bill No. 1530 by Representative Thompson (Duplicate of Senate Bill No. 838)

AMENDMENT NO. 1

On page 2, line 8, delete "the effective date"

AMENDMENT NO. 2

On page 2, line 9, between "elimination" and "shall" insert the following: "of assessments taking effect"

AMENDMENT NO. 3

On page 2, line 15, delete "(1)"

AMENDMENT NO. 4

On page 2, line 16, change "and" to "which"

AMENDMENT NO. 5

On page 2, line 17, delete "such lien"

AMENDMENT NO. 6

On page 2, line 18, between "taxes" and "provided" insert the following: "in favor of the state"

AMENDMENT NO. 7

On page 2, line 18, delete "that"

AMENDMENT NO. 8

On page 2, delete lines 18 through 25 in their entirety and insert in lieu thereof the following: "taxes in favor of the state, provided notification of: (1) the name and address of each cotton producer subject to an assessment within fifteen days after determination thereof, (2) the imposition of any penalty and the name and address of the cotton producer subject thereto within ten days after the determination thereof, and (3) the date and location of any proposed execution or"

AMENDMENT NO. 9

On page 3, delete line 1 in its entirety.

AMENDMENT NO. 10

On page 3, delete lines 4 through 11 in their entirety and insert in lieu thereof the following: "disposition of the cotton, have been properly filed and maintained in accordance with the central registry provisions of R.S. 3:3651 et seq., and any secured party of any cotton

producer has been notified by the commissioner of all actions described in (2) and (3) above by registered or certified mail, return receipt requested, within said delays. The commissioner is authorized to issue executions for the collections:

AMENDMENT NO. 11

On page 3, line 12, delete "a"

AMENDMENT NO. 12

On page 3, line 14, change "his" to "their"

AMENDMENT NO. 13

On page 3, delete lines 16 through 22 in their entirety and insert in lieu thereof the following: "and to make their return thereof to the commissioner in like manner as such tax executions are levied and return thereof made to parish tax collectors and tax commissioners; however, the commissioner shall be authorized to levy and collect his own executions. The commissioner may enforce the lien on cotton in the manner provided by law for enforcement of liens."

AMENDMENT NO. 14

On page 3, below line 23, add the following:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Senator Ellington, the amendments were adopted.

The amended bill was read by title; lies over under the rules.

Rules Suspended

Senator Smith asked for and obtained a suspension of the rules for the purpose of advancing to the order of House Bills on third Reading and Final Passage and taking up House Bill No. 1226 at this time.

**House Bills and Joint Resolutions on
Third Reading
and Final Passage**

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

HOUSE BILL NO. 1226—

BY REPRESENTATIVE THOMPSON AND SENATOR SMITH
AN ACT

To amend and reenact R.S. 3:264(B)(introductory paragraph), 266(19), 314(C), 414, 446.5(G), 543(C), 544(B)(5), 1604(A)(3), 3391.5(A), and 4402(A), R.S. 15:1153(B)(2)(d), and R.S. 49:327.1(N), 327.2(P), and 968(B)(18), relative to the House and Senate agriculture committees; to change various statutes to provide for the House and Senate Committees on Agriculture, Forestry, Aquaculture and Rural Development; and to provide for related matters.

Floor Amendments Sent Up

Senator Smith sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Smith to Reengrossed House Bill No. 1226 by Representative Thompson (Duplicate of Senate Bill No. 415)

AMENDMENT NO. 1

On page 2, line 26, delete "beginning on or before March 1,"

AMENDMENT NO. 2

On page 3, line 1, delete "1991, and" and delete "thereafter"

AMENDMENT NO. 3

On page 7, line 8, delete "and forestry"

On motion of Senator Smith, the amendments were adopted.

On motion of Senator Smith, the amended bill, which is a duplicate of Senate Bill No. 415 was read by title and returned to the Calendar, subject to call.

Rules Suspended

Senator Dupre asked for and obtained a suspension of the rules for the purpose of advancing to the order of Senate Bills on Third Reading and Final Passage subject to call, and taking up Senate Bill No. 29 at this time.

**Senate Bills and Joint Resolutions on
Third Reading and Final Passage,
Subject to Call**

The following Senate Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Dupre asked that Senate Bill No. 29 be called from the Calendar at this time.

SENATE BILL NO. 29—

BY SENATOR DUPRE AND REPRESENTATIVE PITRE
AN ACT

To enact R.S. 49:170.8, relative to state symbols; to designate the loss of coastal wetlands to be our "state crisis"; to authorize the use of the "America's WETLAND" logo on official state documents; and to provide for related matters.

On motion of Senator Dupre, the bill, which is a duplicate of House Bill No. 70 was read by title and returned to the Calendar, subject to call.

Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 1, was taken up and acted upon as follows:

**SENATE BILL NO. 1048 (Substitute for Senate Bill No. 993
by Senator Theunissen)—**

BY SENATORS THEUNISSEN AND MOUNT AND REPRESENTATIVES
FLAVIN, JOHNS, MORRISH AND STELLY
AN ACT

To amend and reenact R.S. 34:202 and 204 and to enact R.S. 34:204.1, relative to the Lake Charles Harbor and Terminal District; to provide relative to the appointment and terms of the district's board of commissioners; to provide relative to the board's responsibility for management of the district; to provide for the employment of a port director including his qualifications and duties; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 1048 by Senator Theunissen

AMENDMENT NO. 1

On page 7, line 9, following "to" and before "a" delete "for"

On motion of Senator Lambert, the amendments were adopted.

Floor Amendments Sent Up

Senator Theunissen sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Theunissen to Engrossed Senate Bill No. 1048 by Senator Theunissen

AMENDMENT NO. 1

On page 3, line 4, after "**Senate Bill No.**" insert "**1048**"

AMENDMENT NO. 2

On page 3, line 21, delete "**one**" and delete line 22 and insert "**two members of a racial minority or one member of a racial minority and one woman.**"

On motion of Senator Theunissen, the amendments were adopted.

The bill was read by title. Senator Theunissen moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adeley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, CD	Theunissen
Ellington	Lambert	Thomas
Fields	Lentini	Ullio
Total—36		

NAYS

Total—0

ABSENT

Mr. President	Bean	Jones, B
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Theunissen moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Senate Resolutions
on Second Reading
Reported by Committees**

The following Senate Resolutions reported by Committees were taken up and acted upon as follows:

SENATE RESOLUTION NO. 12—

BY SENATOR SMITH

A RESOLUTION

To urge and request the Louisiana Department of Wildlife and Fisheries to terminate drainage operations at Iatt Lake in Grant Parish.

Reported favorably by the Committee on Natural Resources.

The resolution was read by title. On motion of Senator Smith, the resolution was adopted.

SENATE RESOLUTION NO. 18—

BY SENATOR HOYT

A RESOLUTION

To create and provide for a special committee to study the feasibility and impact of requiring all school boards to participate in a single health insurance risk pool.

Reported favorably by the Committee on Labor and Industrial Relations.

The resolution was read by title. On motion of Senator Hoyt, the resolution was adopted.

**Senate Concurrent Resolutions
on Second Reading
Reported by Committees**

The following Senate Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 16—

BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To request the Department of Wildlife and Fisheries and the Artificial Reef Commission not to allow rigs to be toppled in place.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Concurrent Resolution No. 16 by Senator Dupre

AMENDMENT NO. 1

On page 2, line 6, after "living" change the period "." to a semicolon ";" and add "and"

AMENDMENT NO. 2

On page 2, between lines 6 and 7, insert the following:

"WHEREAS, rigs toppled by weather, natural causes, acts of God or causes beyond the control of the owners or operators of the rig are exempt."

On motion of Senator Romero, the committee amendment was adopted.

The resolution was read by title. Senator Dupre moved to adopt the amended Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bean	Jones, B	Marionneaux
Total—3		

The Chair declared the Senate had adopted the amended Senate Concurrent Resolution and ordered it engrossed and sent to the House.

SENATE CONCURRENT RESOLUTION NO. 18—

BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to take immediate and focused efforts to improve the enforcement of food import restrictions of seafood imports that contain the use of banned antibiotics, especially in foreign imported shrimp.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Concurrent Resolution No. 18 by Senator Dupre.

AMENDMENT NO. 1

On page 1, line 13, delete "hypo-aplastic" and insert "hypoplastic and aplastic"

AMENDMENT NO. 2

On page 3, line 1, after "countries" change the period "." to a semicolon ";," and add "and"

AMENDMENT NO. 3

On page 3, between lines 1 and 3, insert the following:

"WHEREAS, United States based companies involved in the importation and processing of shrimp are opposed to the use of chloramphenicol and are working with the domestic shrimp industry and the Food and Drug Administration to develop effective protocols, including in-country testing, certification of foreign testing facilities and other means to detect banned antibiotics and to exclude all tainted products from the United States market."

AMENDMENT NO. 4

On page 3, line 4 after "in" insert "seafood products especially"

AMENDMENT NO. 5

On page 3, line 9, between "supply" and the period "." insert the following: "and further urges the Food and Drug Administration to continue to work with importers and domestic stakeholders to develop effective methods of excluding such banned antibiotics"

On motion of Senator Romero, the committee amendment was adopted.

The resolution was read by title. Senator Dupre moved to adopt the amended Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bean	Jones, B	Jones, CD
Total—3		

The Chair declared the Senate had adopted the amended Senate Concurrent Resolution and ordered it engrossed and sent to the House.

SENATE CONCURRENT RESOLUTION NO. 30—

BY SENATOR MICHOT

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to examine state policies on and local implementation of test accommodations for certain students with disabilities who take the graduation exit exam in pursuit of a high school diploma.

Reported favorably by the Committee on Education.

The resolution was read by title. Senator Michot moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Marionneaux
Adley	Gautreaux	McPherson
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen

Dean	Jones, CD	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Fields	Malone	
Total—37		
	NAYS	
Total—0		
	ABSENT	
Bean	Jones, B	
Total—2		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 51—
BY SENATOR CHAISSON

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study re-routing truck traffic from Jackson Street in the city of Thibodaux.

Reported favorably by the Committee on Transportation, Highways, and Public Works.

The resolution was read by title. Senator Chaisson moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

	YEAS	
Mr. President	Fontenot	Marionneaux
Adley	Gautreaux	McPherson
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, CD	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Fields	Malone	
Total—37		
	NAYS	
Total—0		
	ABSENT	
Bean	Jones, B	
Total—2		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 65—
BY SENATORS SCHEDLER, HAINKEL, THOMAS, AND REPRESENTATIVES WINSTON, CROWE, SCHNEIDER, AND STRAIN

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to continue and expand the capacity projects included in the highway priority program, particularly in St. Tammany Parish.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Concurrent Resolution No. 65 by Senator Schedler

AMENDMENT NO. 1

On page 2, after line 17, insert the following:

“BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the secretary of the Department of Transportation and Development.”

On motion of Senator Heitmeier, the committee amendment was adopted.

On motion of Senator Schedler, the amended resolution was read by title and returned to the Calendar, subject to call.

SENATE CONCURRENT RESOLUTION NO. 67—
BY SENATOR IRONS

A CONCURRENT RESOLUTION

To urge and request the School Finance Review Commission to study and make recommendations for including in the minimum foundation program formula a funding component specifically for funding those students in schools located in areas that have high concentrations of poverty.

Reported favorably by the Committee on Education.

The resolution was read by title. Senator Irons moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

	YEAS	
Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—36		
	NAYS	
Total—0		
	ABSENT	
Bean	Jones, B	Theunissen
Total—3		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**Senate Concurrent Resolutions
on Second Reading
Reported by Committees, Subject to Call**

The following Senate Concurrent Resolutions reported by Committees, subject to call were taken up and acted upon as follows:

Called from the Calendar

Senator Johnson asked that Senate Concurrent Resolution No. 61 be called from the Calendar at this time.

SENATE CONCURRENT RESOLUTION NO. 61—

BY SENATOR JOHNSON

A CONCURRENT RESOLUTION

To continue the Louisiana Small Business Task Force created by Senate Concurrent Resolution No. 27 of the First Extraordinary Session of 2002.

Reported favorably by the Committee on Commerce, Consumer Protection and International Affairs.

The resolution was read by title. Senator Johnson moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Marionneaux
Adley	Gautreaux	McPherson
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, CD	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Fields	Malone	
Total—37		

NAYS

Total—0

ABSENT

Bean	Jones, B
Total—2	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**Senate Bills and Joint Resolutions on
Third Reading
and Final Passage**

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

SENATE BILL NO. 320—

BY SENATOR CHAISSON

AN ACT

To amend R.S. 14:98(A)(1)(d) and (e), relative to the offense of driving while intoxicated; to provide relative to driving under the influence of a drug which is not a controlled dangerous substance; to provide an affirmative defense for such charge under certain conditions; to provide relative to driving under the influence of a combination of alcohol and a drug which is not a controlled dangerous substance; to provide an affirmative defense for such charge under certain conditions; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 320 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 2, following "amend" and before "R.S." insert "and reenact"

AMENDMENT NO. 2

On page 3, line 5, following "under" and before "this" delete "to"

On motion of Senator Lambert, the amendments were adopted.

Floor Amendments Sent Up

Senator Chaisson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Engrossed Senate Bill No. 320 by Senator Chaisson

AMENDMENT NO. 1

On page 2, line 16, after "prescription" insert "and the influence is caused by the operator knowingly consuming quantities of the drug or drugs which substantially exceed the dosage prescribed by the physician or the dosage recommended by the manufacturer of the drug"

AMENDMENT NO. 2

On page 2, delete lines 20 through 26, and on page 3, delete lines 1 through 10

On motion of Senator Chaisson, the amendments were adopted.

The bill was read by title. Senator Chaisson moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Cain	Hines	Mount
Chaisson	Holden	Schedler
Cravins	Hollis	Smith
Dean	Hoyt	Theunissen
Dupre	Johnson	Thomas
Ellington	Lambert	Ullo
Fontenot	Lentini	
Total—26		

NAYS

Adley	Irons	Marionneaux
Boissiere	Jones, CD	Tarver
Fields	Malone	
Total—8		

ABSENT

Mr. President	Dardenne	Romero
Bean	Jones, B	

Total—5

The Chair declared the amended bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator Dardenne asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on Senate Bill No. 320. He had intended to vote yea on the bill. He asked that the Official Journal so state.

SENATE BILL NO. 406— BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 14:32.1(A)(5) and (6), 39.1(A)(4) and (5), and 39.2(A)(4) and (5), relative to crimes related to assault and battery; to provide relative to vehicular homicide, vehicular negligent injuring, and first degree vehicular negligent injuring; to eliminate certain elements of such crimes; to provide for the lack of such elements to be available as an affirmative defense to certain charges of such crimes; and to provide for related matters.

Floor Amendments Sent Up

Senator Chaisson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Engrossed Senate Bill No. 406 by Senator Chaisson

AMENDMENT NO. 1

On page 2, line 15, after "(6)" delete "(a)"

AMENDMENT NO. 2

On page 2, line 17, after "prescription" insert "and the influence is caused by the operator knowingly consuming quantities of the drug or drugs which substantially exceed the dosage prescribed by the physician or the dosage recommended by the manufacturer of the drug"

AMENDMENT NO. 3

On page 2, delete lines 21 through 26 and on page 3, delete lines 1 through 9

AMENDMENT NO. 4

On page 4, line 2, after "(5)" delete "(a)"

AMENDMENT NO. 5

On page 4, line 4, after "prescription, insert "and the influence is caused by the operator knowingly consuming quantities of the drug or drugs which substantially exceed the dosage prescribed by the physician or the dosage recommended by the manufacturer of the drug"

AMENDMENT NO. 6

On page 4, delete lines 8 through 22

AMENDMENT NO. 7

On page 5, line 16, after "(5)" delete "(a)"

AMENDMENT NO. 8

On page 5, line 18, after "prescription, insert "and the influence is caused by the operator knowingly consuming quantities of the drug or drugs which substantially exceed the dosage prescribed by the physician or the dosage recommended by the manufacturer of the drug"

AMENDMENT NO. 9

On page 5, delete lines 22 through 26 and on page 6, delete lines 1 through 10

On motion of Senator Chaisson, the amendments were adopted.

The bill was read by title. Senator Chaisson moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Schedler
Chaisson	Hollis	Smith
Cravins	Hoyt	Tarver
Dardenne	Irons	Theunissen
Dean	Johnson	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Total—32		

NAYS

Adley	Jones, CD
Fields	Marionneaux
Total—4	

ABSENT

Bean	Jones, B	Romero
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 582—

BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 30:2006, relative to environmental quality; to provide for the mandatory notification of residents by certain state agencies for environmental contamination; to provide for a definition of "notice"; and to provide for related matters.

The bill was read by title. Senator Marionneaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	Lambert
Cain	Heitmeier	Lentini
Chaisson	Hines	Marionneaux
Cravins	Holden	McPherson
Dupre	Johnson	Thomas
Fields	Jones, CD	Ullo
Total—18		

NAYS

Adley	Gautreaux	Mount
Barham	Hollis	Schedler
Boissiere	Hoyt	Smith
Dardenne	Irons	Tarver

Dean	Malone	Theunissen
Ellington	Michot	
Total—17		

ABSENT

Mr. President	Jones, B
Bean	Romero
Total—4	

The Chair declared the bill failed to pass.

Notice of Reconsideration

Senator Marionneaux, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

SENATE BILL NO. 752— BY SENATOR LENTINI

AN ACT

To enact Code of Criminal Procedure Art. 324(A)(4), relative to bail; to provide relative to bail through cash deposits; to authorize the court in Jefferson Parish to reduce the percentage amount of the bail to be deposited; to authorize an administrative fee; and to provide for related matters.

The bill was read by title. Senator Lentini moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Romero
Boissiere	Hines	Schedler
Cain	Hollis	Smith
Chaisson	Hoyt	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, CD	Thomas
Dean	Lambert	Ullo
Ellington	Lentini	
Fields	Malone	
Total—31		

NAYS

Dupre	Irons	Mount
Holden	Michot	
Total—5		

ABSENT

Mr. President	Bean	Jones, B
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 767— BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 32:666(A) and to enact R.S. 14:98.2 and R.S. 32:661(C)(1)(f), relative to crime; to create the crime of refusal to submit to chemical test of blood content of alcohol, controlled dangerous substances or abused substances after arrest for an offense of driving while intoxicated after refusing to submit to such test on two separate and previous occasions

with respect to any previous such violation; to require informing such arrested persons of the penalty for not submitting to the test; to provide for penalties; and to provide for related matters.

On motion of Senator Chaisson, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 802— BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 9:315.14, relative to child support; to provide an exception to the mandatory minimum payment in certain cases; and to provide for related matters.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 802 by Senator Smith

AMENDMENT NO. 1

On page 1, line 11, after "315.10" delete the remainder of the line and insert a period "."

AMENDMENT NO. 2

On page 1, at the beginning of line 12, insert "In cases"

AMENDMENT NO. 3

On page 1, line 13, after "minimum" insert ", the court may set an award of less than one hundred dollars"

On motion of Senator Dardenne, the amendments were adopted.

The bill was read by title. Senator Smith moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—36		

NAYS

Romero
Total—1

ABSENT

Bean	Jones, B
Total—2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 820—
BY SENATOR DARDENNE

AN ACT

To enact R.S. 15:147(A)(1)(d), (e), (f), and (g), relative to right to counsel in criminal cases; to provide with respect to the defense of indigents; to provide for the collection of a one-time forty dollar fee from criminal defendants seeking representation by the indigent defender board; to provide for collection and distribution of fees; and to provide for related matters.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 820 by Senator Dardenne

AMENDMENT NO. 1

On page 2, at the end of line 20, delete "clerks of court of each" and insert "indigent defender board or its designee"

AMENDMENT NO. 2

On page 2, at the beginning of line 21, delete "parish"

On motion of Senator Dardenne, the amendments were adopted.

Floor Amendments Sent Up

Senator Fields sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator CFields to Engrossed Senate Bill No. 820 by Senator Dardenne

AMENDMENT NO. 1

On page 3, after line 6, insert the following:

"R.S. 15:147(C) is all proposed new law.

C. Nothing in this Chapter shall prevent a criminal defendant from obtaining representation through the indigent defender board at no charge."

On motion of Senator Fields, the amendments were adopted.

The bill was read by title. Senator Dardenne moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Marionneaux
Adley	Gautreaux	McPherson
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, CD	Theunissen
Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Fields	Malone	
Total—35		

NAYS

Boissiere
Total—2

Holden

ABSENT

Bean
Total—2

Jones, B

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 851—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact Code of Civil Procedure Art. 1732(1), relative to jury trials; to provide for the limitations on the availability of jury trials; to reduce the monetary amount in controversy necessary to have a jury trial; and to provide for related matters.

On motion of Senator Ellington, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 855—
BY SENATOR ELLINGTON

AN ACT

To amend R.S. 9:315(C)(4)(a), relative to the determination of child support; to provide for a gift to be included when determining gross income for the purposes of child support; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 855 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 2, following "amend" and before "R.S." insert "and reenact"

AMENDMENT NO. 2

On page 1, between lines 10 and 11, insert asterisks " * * * "

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Ellington moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Johnson	Tarver
Dean	Jones, CD	Theunissen
Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bean
Total—3

Irons

Jones, B

The Chair declared the amended bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 6—

BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 18:463(A)(2), relative to notice of candidacy forms; to provide that the candidacy form include information concerning the disposition of a felony conviction; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 6 by Senator Dupre

AMENDMENT NO. 1

On page 2, line 4, following "Section" and before "of" change "12" to "10(B)"

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Dupre moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Marionneaux
Adley	Gautreaux	McPherson
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, CD	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Fields	Malone	
Total—37		

NAYS

Total—0

ABSENT

Bean

Total—2

Jones, B

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 11—

BY SENATOR DUPRE AND REPRESENTATIVES DOWNER AND BALDONE

AN ACT

To amend and reenact R.S. 18:1317, relative to voting; to provide that the vote of an individual who votes absentee and subsequently dies prior to the opening of the polls on the day of the election shall be valid; and to provide for related matters.

Motion

Senator Dean moved the previous question on the entire subject matter.

Senator Adley objected.

ROLL CALL

The roll was called with the following result:

YEAS

Boissiere	Gautreaux	Michot
Cain	Heitmeier	Mount
Chaisson	Holden	Schedler
Cravins	Hollis	Smith
Dean	Hoyt	Tarver
Dupre	Irons	Theunissen
Ellington	Jones, CD	Thomas
Fields	Malone	
Fontenot	Marionneaux	
Total—25		

NAYS

Adley	Dardenne	McPherson
Bajoie	Johnson	Ullo
Barham	Lentini	
Total—8		

ABSENT

Mr. President	Hines	Lambert
Bean	Jones, B	Romero
Total—6		

The Chair declared the previous question was called on the entire subject matter.

The bill was read by title. Senator Dupre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Mr. President
Bean

Jones, B
McPherson

Total—4

The Chair declared the bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Adley asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

May 5, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 15— BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 40:1156, relative to sewage and sewerage; to require the secretary of the Department of Health and Hospitals to develop guidelines for maintenance of individual sewerage systems and for the training of homeowners who choose to maintain their own sewerage systems; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

May 5, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 710 by Senator Theunissen:

Representatives Crane, Stelly and Swilling.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Introduction of Resolutions, Senate and Concurrent

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE CONCURRENT RESOLUTION NO. 71—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To continue and provide with respect to the Louisiana Public Mental Health Review Commission.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Health and Welfare.

Rules Suspended

Senator Dardenne asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 5, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 131—

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 56:10(B)(1)(b) and 578.12(B), relative to shrimp fishing; to limit use of funds in the Shrimp Marketing and Promotion Account; and to provide for related matters.

HOUSE BILL NO. 250—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 56:639.8(E), relative to the Artificial Reef Development Fund; to include evaluation of the program in the authorized uses of the fund; and to provide for related matters.

HOUSE BILL NO. 440—

BY REPRESENTATIVE MORRISH

AN ACT

To enact R.S. 22:1405(I)(3), relative to the Property Insurance Association of Louisiana; to provide for records; to provide for public protection classifications; to provide for certain local officials; and to provide for related matters.

HOUSE BILL NO. 556—

BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 56:499(C), relative to fishing nets; to prohibit the use of certain devices with skimmer nets; and to provide for related matters.

HOUSE BILL NO. 561—

BY REPRESENTATIVES JACK SMITH AND PIERRE
AN ACT

To amend and reenact R.S. 56:302.3(B)(5) and 500(A), relative to recreational gear licenses; to provide for the use of a larger trawl on a recreational gear license; to provide relative to the gear fee required for a larger trawl; and to provide for related matters.

HOUSE BILL NO. 563—

BY REPRESENTATIVES JACK SMITH AND PIERRE
AN ACT

To amend and reenact R.S. 56:302.10, relative to recreational fishing; to provide relative to penalties for the sale of recreational catches; and to provide for related matters.

HOUSE BILL NO. 887—

BY REPRESENTATIVE ERDEY
AN ACT

To amend and reenact R.S. 22:1150, relative to producers of record; to provide relative to authorization and recognition of such producers by insurers; to provide with respect to change or removal of such producers; to provide relative to payment of commissions; to make such provisions applicable to accident and health insurers and all bond business; and to provide for related matters.

HOUSE BILL NO. 924—

BY REPRESENTATIVES HUNTER AND BRUCE
AN ACT

To amend and reenact R.S. 15:541(14.1) and to enact R.S. 14:283(E), relative to sex offender registration; to require a person convicted of video voyeurism to register as a sex offender; to add the crime of video voyeurism to the definition of a sex offense for the purposes of sex offender registration; and to provide for related matters.

HOUSE BILL NO. 1133—

BY REPRESENTATIVE ODINET
AN ACT

To amend and reenact R.S. 56:433(F), relative to oysters; to provide for a minimum size applicable throughout the year; and to provide for related matters.

HOUSE BILL NO. 1136—

BY REPRESENTATIVE ODINET
AN ACT

To amend and reenact R.S. 56:421(B)(introductory paragraph) and (D) and to enact R.S. 56:421(B)(12), relative to the Louisiana Oyster Task Force; to provide for an additional member; and to provide for related matters.

HOUSE BILL NO. 1149—

BY REPRESENTATIVE BOWLER
AN ACT

To enact R.S. 22:250.20, relative to health insurance; to provide relative to the compliance of health insurance issuers with state law relative to the Gramm-Leach-Bliley Act; and to provide for related matters.

HOUSE BILL NO. 1155—

BY REPRESENTATIVE ODINET
AN ACT

To amend and reenact R.S. 56:432 and to enact R.S. 56:427(E), relative to oyster leases; to provide for limits on the number of acres which can be leased by one person and the maximum number of acres for which application may be made; and to provide for related matters.

HOUSE BILL NO. 1156—

BY REPRESENTATIVE ODINET
AN ACT

To amend and reenact R.S. 56:430.1(A), relative to oyster production; to remove the requirement for the leaseholder to submit certain information to the Department of Wildlife and Fisheries; and to provide for related matters.

HOUSE BILL NO. 1167—

BY REPRESENTATIVE ODINET
AN ACT

To amend and reenact R.S. 56:424(G), relative to the harvest of oysters; to require a vessel monitoring system to be used by any person who obtains from the Department of Wildlife and Fisheries a permit to land oysters outside the state; and to provide for related matters.

HOUSE BILL NO. 1446—

BY REPRESENTATIVES HEBERT AND FAUCHEUX
AN ACT

To enact R.S. 22:176.1, relative to group life insurance; to provide for exclusion; to provide for restrictions; to provide for exceptions; to provide for liability; to provide for contestability; and to provide for related matters.

HOUSE BILL NO. 1484—

BY REPRESENTATIVE HEBERT
AN ACT

To amend and reenact R.S. 22:71.1(C)(1), relative to domestic stock insurers; to provide for certificate of authority; to provide for requirements; to provide for issuance; and to provide for related matters.

HOUSE BILL NO. 1605—

BY REPRESENTATIVES ILES, DOERGE, HILL, PITRE, JOHN SMITH, AND SENATOR ADLEY
AN ACT

To enact R.S. 40:1300.143(3)(a)(viii), (ix), and (x), relative to the Rural Hospital Preservation Act; to add certain hospitals to the definition of a rural hospital; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1652—

BY REPRESENTATIVES THOMPSON, HILL, LAFLEUR, MORRISH, BAUDOIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, STRAIN, AND JACK SMITH
AN ACT

To amend and reenact R.S. 3:1901(A), (B), (C)(1), and (E), to enact R.S. 3:1901(F), and to repeal R.S. 3:1907(D), relative to commercial feed fees; to create the Commercial Feed Fund; and to provide for related matters.

HOUSE BILL NO. 1696—

BY REPRESENTATIVES THOMPSON, HILL, LAFLEUR, MORRISH, BAUDOIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, JACK SMITH, AND STRAIN
AN ACT

To amend and reenact R.S. 3:1655(B), (C), and (D), relative to nursery stock inspection fees; to establish the Crop Pests and Diseases Fund; to provide for disposition of funds; and to provide for related matters.

HOUSE BILL NO. 1732—

BY REPRESENTATIVE DEVILLIER AND SENATOR DARDENNE
AN ACT

To enact R.S. 15:147(A)(1)(d), (e), (f), and (g), relative to right to counsel in criminal cases; to provide with respect to the defense of indigents; to provide for the collection of a one-time forty dollar fee from criminal defendants seeking representation by the indigent defender board; to provide for collection and distribution of fees; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

RETIREMENT

Senator Boissiere, Chairman on behalf of the Committee on Retirement, submitted the following report:

May 5, 2003

To the President and Members of the Senate:

I am directed by your Committee on Retirement to submit the following report:

SENATE BILL NO. 330—
BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:153(L), relative to the Sheriffs' Pension and Relief fund; to provide with respect to purchase of military service credit for years of active duty military service in the Vietnam Conflict; to provide with respect to employee contributions; to provide with respect to employer contributions; to provide for severability; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 342—
BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:2178(M), relative to the Sheriffs' Pension and Relief Fund; to provide for a one-time cost-of-living adjustment; to provide for retroactive application; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1035—
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 11:1732(14), relative to the Municipal Employees' Retirement System of Louisiana; to provide with respect to the definition of employer; to allow employees of planning and development commissions to join the retirement system; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1050—
BY SENATOR ADLEY

AN ACT

To enact R.S. 11:1751(E), relative to the Municipal Employees' Retirement System of Louisiana; to provide with respect to membership; to provide that retired persons over the age of sixty-five shall not be required to participate in the retirement system; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
LAMBERT BOISSIERE, JR.

Chairman

REPORT OF COMMITTEE ON

FINANCE

Senator Dardenne, Chairman on behalf of the Committee on Finance, submitted the following report:

May 5, 2003

To the President and Members of the Senate:

I am directed by your Committee on Finance to submit the following report:

SENATE BILL NO. 39—

BY SENATOR DUPRE AND REPRESENTATIVE PITRE
AN ACT

To enact Part VI-B of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:126, and to repeal R.S. 49:121(A)(2), relative to public vehicles; to provide for the placement of certain promotional stickers on public vehicles; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 305—

BY SENATORS SCHEDLER AND B. JONES AND REPRESENTATIVE DURAND

AN ACT

To enact Part XXVI-A of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1299.78 through 1299.78.5, relative to the Medicaid Buy-In Program for Persons with Disabilities; to provide for coverage for those receiving Social Security Disability Insurance benefits, but desire to return to the workforce; to provide definitions; to provide for basic guidelines; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 359—

BY SENATOR THEUNISSEN

AN ACT

To enact R.S. 39:1572(B)(7), relative to central purchasing; to exempt the Louisiana Community and Technical College System from the requirement to conduct procurement through the central purchasing agency; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 952—

BY SENATOR B. JONES

AN ACT

To amend and reenact R.S. 26:354(I), R.S. 36:458(F), R.S. 47:15(14), 1401, 1407(1) and (4), 1431, 1432, 1437, 1481, 1508.1(B), 1561, 1565, 1566(C), 1567, 1580(A)(3), 1621(F), 1621.1(A), 1625, 1626, 1627, 1688, and 1689, the heading of R.S. 47:1621.1, and R.S. 49:967(A) and 992(D)(1); to enact R.S. 36:4(B)(1)(r) and Chapter 3 of Subtitle I of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:16 through 16.55, and R.S. 49:992(D)(9), relative to administrative proceedings concerning taxes, fees, and claims against the state; to create and provide for the Tax Court as an administrative agency in the office of the governor and the judges of Tax Court; to provide for a small claims division of the Tax Court and the magistrate thereof; to revise provisions concerning the Board of Tax Appeals; to provide for judicial review of Tax Court judgments; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1099—
BY SENATOR DARDENNE

AN ACT

To enact R.S. 49:321.1, relative to state funds; to provide with respect to the authority of the treasurer to manage state funds; to authorize the reinvestment of cash collateral; and to provide for related matters.

Reported with amendments

Respectfully submitted,
JAY DARDENNE
Chairman

Rules Suspended

Senator Schedler asked for and obtained a suspension of the rules for the purpose of recalling Senate Concurrent Resolution No. 34 from the Committee on Health and Welfare.

SENATE CONCURRENT RESOLUTION NO. 34—
BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to study and make recommendations on local human services delivery systems for mental health, developmental disabilities, and addictive disorders services.

On motion of Senator Schedler, the resolution was read by title and withdrawn from the files of the Senate.

Rules Suspended

Senator Schedler asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 308 from the Committee on Health and Welfare.

SENATE BILL NO. 308—
BY SENATOR SCHEDLER

AN ACT

To enact Part IX-A of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:214 through 28:215, relative to local human services districts; to provide for the creation of a statewide framework for the creation and operation of local human services districts to manage and provide mental health, developmental disabilities, and addictive disorders services through the Department of Health and Hospitals; and to provide for related matters.

On motion of Senator Schedler, the bill was read by title and withdrawn from the files of the Senate.

Rules Suspended

Senator Boissiere asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 774 from the Committee on Judiciary C.

SENATE BILL NO. 774—
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 14:403.3(A)(2) and to enact R.S. 14:403.3(A)(1)(f), relative to offenses affecting law enforcement; to provide relative to a missing child who is the victim of a crime; to require law enforcement to notify missing person alerting systems of available information regarding such child; to provide relative to the safety and welfare of such child; to provide for notification of the family of such persons; and to provide for related matters.

On motion of Senator Boissiere, the bill was read by title and withdrawn from the files of the Senate.

Motion to Make Special Order

Senator Dardenne asked for and obtained a suspension of the rules for the purpose of making House Bill No. 779, which is Special Order of the Day No. 1 on May 6, 2003, Special Order of the Day No. 1 on Wednesday, May 7, 2003 immediately following the Morning Hour.

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 5, 2003

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Resolution have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 68—

BY SENATORS HAINKEL, BOISSIERE, ULLO, ADLEY, BAJOE, BARHAM, BEAN, CAIN, CHAISSON, CRAVINS, DARDENNE, DEAN, DUPRE, ELLINGTON, FIELDS, FONTENOT, GAUTREAUX, HEITMEIER, HINES, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN AND THOMAS AND REPRESENTATIVES BRUNEAU, PERKINS AND SCALISE

A CONCURRENT RESOLUTION

To offer the condolences of the Louisiana Legislature on behalf of its members, present and past, and on behalf of the citizens of the state to the family of Philomene Shilleci Bagert.

SENATE CONCURRENT RESOLUTION NO. 69—

BY SENATORS DARDENNE, ADLEY, BAJOE, BARHAM, BEAN, BOISSIERE, CAIN, CHAISSON, CRAVINS, DEAN, DUPRE, ELLINGTON, FIELDS, FONTENOT, GAUTREAUX, HAINKEL, HEITMEIER, HINES, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO AND REPRESENTATIVE PERKINS

A CONCURRENT RESOLUTION

To commend and congratulate WAFB-TV Channel 9 for fifty years of broadcasting in Baton Rouge.

Respectfully submitted,
CHRIS ULLO
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

Message to the Secretary of State

SIGNED SENATE JOINT RESOLUTIONS

May 2, 2003

To the Honorable Secretary of State:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Joint Resolution:

SENATE BILL NO. 225 (Duplicate of House Bill No. 629)—
BY SENATOR THEUNISSEN AND REPRESENTATIVE CRANE AND
COAUTHORED BY SENATORS BOISSIERE, CRAVINS, DARDENNE,
DUPRE, FONTENOT, HAINKEL, HOLLIS, IRONS, B. JONES, LAMBERT,
LENTINI AND TARVER AND REPRESENTATIVES ALARIO,
ALEXANDER, BRUNEAU, K. CARTER, CROWE, DAMICO, DARTEZ,
DEWITT, DIEZ, DOWNER, DOWNS, ERDEY, FLAVIN, FRUGE,
HAMMETT, M. JACKSON, JOHNS, KENNEY, LAFLEUR, LANCASTER,
LANDRIEU, LEBLANC, MCVEA, MONTGOMERY, MORRISH, NEVERS,
PINAC, PITRE, SALTER, SCALISE, SNEED, STELLY, STRAIN,
THOMPSON, TOWNSEND, WALKER, WALSWORTH AND WINSTON

A JOINT RESOLUTION

Proposing to amend Article VIII, Section 3(A) of the Constitution of Louisiana, relative to the powers, duties, and responsibilities of the State Board of Elementary and Secondary Education; to authorize the state board to supervise, manage, and operate or provide for the supervision, management, and operation of a public elementary or secondary school which has been determined to be failing; to authorize the state board to receive, control, and expend certain funds; to provide that this additional authority shall be exercised in the manner provided by and in accordance with law; to refer to city, parish, and other local public school boards rather than parish or city school boards; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Respectfully submitted,
MICHAEL S. BAER, III
Secretary of the Senate

Message to the Secretary of State

SIGNED

SENATE CONCURRENT RESOLUTIONS

May 2, 2003

To the Honorable Secretary of State:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 6—
BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To urge and request development of an ongoing association between the state of Louisiana and the province of Alberta, Canada.

SENATE CONCURRENT RESOLUTION NO. 22—
BY SENATOR HAINKEL AND REPRESENTATIVE DOWNER

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to appropriate for and expedite funding of state and local homeland security activities.

SENATE CONCURRENT RESOLUTION NO. 42—
BY SENATOR FIELDS

A CONCURRENT RESOLUTION

To express sympathy and condolences of the legislature to the family of Earnestine Kinchen.

SENATE CONCURRENT RESOLUTION NO. 44—
BY SENATOR IRONS

A CONCURRENT RESOLUTION

To join in "Celebrating the French Quarter", to proclaim April 22, 2003, as "New Orleans Day at the Legislature", and to provide for suitable observance of this special day.

SENATE CONCURRENT RESOLUTION NO. 37—

BY SENATOR MCPHERSON AND REPRESENTATIVES DEWITT,
FARRAR AND CURTIS

A CONCURRENT RESOLUTION

To posthumously commend officers Jeremy E. "Jay" Carruth and David Ezernack who were killed in the line of duty protecting the citizens of Louisiana putting the safety of others before their own lives and to offer sincere condolences to the families of these young heroes.

SENATE CONCURRENT RESOLUTION NO. 40—

BY SENATORS ROMERO, BAJOE, BARHAM, BOISSIERE, CHAISSON,
CRAVINS, DARDENNE, DUPRE, ELLINGTON, FIELDS, GAUTREAUX,
HAINKEL, HEITMEIER, HINES, HOLLIS, HOYT, C. JONES, LAMBERT,
LENTINI, MALONE, MICHOT, MOUNT, SCHEDLER, SMITH,
THEUNISSEN, THOMAS AND ULLO

A CONCURRENT RESOLUTION

To commend McIlhenny Company and the president and chief executive officer, Paul McIlhenny, for supportive actions taken to promote America's Wetland Campaign to Save Coastal Louisiana.

SENATE CONCURRENT RESOLUTION NO. 41—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To proclaim April 15, 2003 as Equal Pay Day.

SENATE CONCURRENT RESOLUTION NO. 50—

BY SENATOR IRONS

A CONCURRENT RESOLUTION

To designate May 7, 2003 as "Louisiana Day to Prevent Teen Pregnancy and Score Big".

SENATE CONCURRENT RESOLUTION NO. 46—

BY SENATOR SMITH AND REPRESENTATIVE TOWNSEND

A CONCURRENT RESOLUTION

To commend and congratulate Alexander Billioux on being awarded a Marshall Scholarship.

SENATE CONCURRENT RESOLUTION NO. 48—

BY SENATOR SMITH AND REPRESENTATIVE TOWNSEND

A CONCURRENT RESOLUTION

To commend and congratulate Casey Crowder on her reign as Miss Louisiana 2002.

SENATE CONCURRENT RESOLUTION NO. 52—

BY SENATOR HOLDEN AND REPRESENTATIVE HONEY

A CONCURRENT RESOLUTION

To commend the players, coaches, and managerial personnel of the 2002-2003 Southern University Lab School Girls Basketball Team on winning the State 1-A Girls State Basketball Championship.

SENATE CONCURRENT RESOLUTION NO. 53—

BY SENATOR HOLDEN AND REPRESENTATIVE HONEY

A CONCURRENT RESOLUTION

To commend the players, coaches, and managerial personnel of the 2002-2003 Southern University Lab School Boys Basketball Team on winning the State 1-A Boys State Basketball Championship.

SENATE CONCURRENT RESOLUTION NO. 54—

BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To commend and congratulate the Ruth Chapter No. 16 of the Order of the Eastern Star on its 100th anniversary and to recognize and acknowledge its numerous contributions and efforts to improve the quality of life for the residents of Calcasieu Parish and the state.

SENATE CONCURRENT RESOLUTION NO. 55—

BY SENATORS B. JONES, ADLEY, BAJOE, BARHAM, BEAN, BOISSIERE, CAIN, CHAISSON, CRAVINS, DARDENNE, DEAN, DUPRE, ELLINGTON, FIELDS, FONTENOT, GAUTREAUX, HAINKEL, HEITMEIER, HINES, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO AND REPRESENTATIVES DOWNS, GALLOT, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BALDONE, BAUDOUIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BRUNEAU, CAPELLA, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEVILLIER, DEWITT, DIEZ, DOERGE, DOWNER, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FRUGE, FUTRELL, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUDSON, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, McDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PEYCHAUD, PIERRE, PINAC, PITRE, POWELL, QUEZAIRE, RICHMOND, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, SWILLING, THOMPSON, TOOMY, TOWNSEND, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WELCH, WINSTON, WOOTON AND WRIGHT

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of George B. Holstead, Jr. of Ruston and the enduring gratitude of the members for his outstanding contributions to the city of Ruston, Lincoln Parish, and the state of Louisiana, particularly during his sixteen-year tenure as a distinguished member of the Louisiana House of Representatives.

SENATE CONCURRENT RESOLUTION NO. 60—

BY SENATORS HAINKEL, ADLEY, BAJOE, BARHAM, BEAN, BOISSIERE, CAIN, CHAISSON, CRAVINS, DARDENNE, DEAN, DUPRE, ELLINGTON, FIELDS, FONTENOT, GAUTREAUX, HEITMEIER, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO AND REPRESENTATIVE WALKER

A CONCURRENT RESOLUTION

To commend Senator Don Hines on being honored by the American Heart Association as the recipient of the Louisiana Advocate of the Year Award and the Southeast Affiliates Advocate of the Year Award.

Respectfully submitted,
MICHAEL S. BAER, III
Secretary of the Senate

Leaves of Absence

The following leaves of absence were asked for and granted:

Bean	1 Day	B. Jones	1 Day
------	-------	----------	-------

Adjournment

Senator Lambert moved that the Senate adjourn until Tuesday, May 6, 2003, at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Tuesday, May 6, 2003.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk